

# THE NATIONAL ARCHIVES FEDERAL REGISTER OF THE UNITED STATES

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Washington, Tuesday, October 26, 1948

## TITLE 3—THE PRESIDENT EXECUTIVE ORDER 10011

### AUTHORIZING THE SECRETARY OF STATE TO EXERCISE CERTAIN POWERS OF THE PRESIDENT WITH RESPECT TO THE GRANTING OF ALLOWANCES AND ALLOTMENTS TO GOVERNMENT PERSONNEL ON FOREIGN DUTY

By virtue of the authority vested in me by the Foreign Service Act of 1946 (60 Stat. 999) section 203 of the Revised Statutes (5 U. S. C. 156) the act of June 26, 1930, 46 Stat. 818 (5 U. S. C. 118a) section 204 of the Independent Offices Appropriation Act, 1949 (Public Law 491, 80th Cong.) and section 302 of the United States Information and Educational Exchange Act of 1948 (Public Law 402, 80th Cong.) and as President of the United States, it is hereby ordered as follows:

1. The Secretary of State is authorized and directed to exercise the following-described statutory powers of the President:

(a) The authority vested in the President by section 901 of the Foreign Service Act of 1946 (60 Stat. 1025) to prescribe regulations governing the granting of (1) allowances, wherever Government-owned or rented quarters are not available, for living quarters, heat, light, fuel, gas, and electricity, including allowances for the cost of lodging at temporary quarters, authorized by paragraph (1) of the said section; (2) cost-of-living allowances authorized by paragraph (2) of the said section; and (3) allowances in order to provide for the proper representation of the United States by officers and employees of the Foreign Service, authorized by paragraph (3) of the said section.

(b) The authority vested in the President by section 903 of the Foreign Service Act of 1946 (60 Stat. 1026) to prescribe rules and regulations governing the manner in which the allowances and allotments authorized by sections 901 and 902 of the said act shall be accounted for to the Secretary of State.

(c) The authority vested in the President by the act of June 26, 1930, 46 Stat. 818 (5 U. S. C. 118a) to approve regulations prescribed by heads of departments with respect to (1) furnishing civilian

officers and employees of the Government having permanent station in a foreign country, without cost to them, living quarters, including heat, fuel, and light, in Government-owned or rented buildings, and (2) allowances granted such officers and employees where such living quarters are not available: *Provided*, that with respect to regulations prescribed by the Secretary of State such authority of the President shall be exercised by the Director of the Bureau of the Budget.

(d) The authority vested in the President by section 204 of the Independent Offices Appropriation Act, 1949 (Public Law 491, 80th Cong.) and by section 302 of the United States Information and Educational Exchange Act of 1948 (Public Law 402, 80th Cong.) to prescribe, with respect to civilian officers and employees of the Government, regulations governing living-quarters allowances, cost-of-living allowances, and representation allowances in accordance with, or similar to such allowances authorized by the said act of June 26, 1930, or the said section 901 of the Foreign Service Act of 1946.

2. The Secretary of State and the Director of the Bureau of the Budget may exercise the authority herein delegated to them without the necessity of any signature, approval, ratification, or other act of the President; and all officers, officials, and employees of the United States, including disbursing, accounting, and auditing officers, shall give the same effect to any act of the Secretary or Director hereunder as if done by the President.

3. (a) Existing rules and regulations pertaining to the allowances and allotments referred to in this order shall remain in effect until superseded by action taken pursuant to this order.

(b) Executive Order No. 9870 of July 8, 1947, and Executive Order No. 9382 of July 29, 1948, are hereby revoked: *Provided*, that existing rules and regulations prescribed pursuant to such orders shall remain in effect until superseded as provided in paragraph 3 (a) hereof.

4. This order, and such of the regulations prescribed or approved by the Secretary of State and the Director of the

(Continued on p. 6265)

## CONTENTS

### THE PRESIDENT

Executive Orders—	Page
Government personnel on foreign duty; Secretary of State authorized to exercise certain powers of President with respect to granting of allowances and allotments	6263
Positions filled by patients in Government hospitals; exclusion from provisions of Classification Act	6265

### EXECUTIVE AGENCIES

<b>Agriculture Department</b>	
<i>See also Farmers Home Administration.</i>	
<b>Proposed rule making:</b>	
Milk handling:	
Cincinnati, Ohio, area	6270
Tri-State area	6270
<b>Alien Property, Office of</b>	
<b>Notices:</b>	
Vesting orders, etc.	
Berendt, Carl Friederich	6282
Gammersbach, Carl	6280
Manz, Clara Madler	6280
McMichael, Morton	6281
Mueller, W. G.	6280
Nippon Club	6280
Pommer, Elsie	6282
Schroder, Nanny	6281
<b>Army Department</b>	
<b>Rules and regulations:</b>	
National Guard; burial expenses	6267
<b>Civil Service Commission</b>	
<b>Rules and regulations:</b>	
Appointment to certain scientific, technical, and professional positions; formal education requirements	6265
<b>Coast Guard</b>	
<b>Rules and regulations:</b>	
Field organization; abolishment of New Haven marine inspection office	6267
<b>Customs Bureau</b>	
<b>Notices:</b>	
Barber Oil Corp. and Trinidad Corp., registration of house flag and funnel mark	6270



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#### CONTENTS—Continued

<b>Farmers Home Administration</b>	Page
Rules and regulations:	
Servicing Farm Ownership	
loans; county office routine...	6265
<b>Federal Communications Commission</b>	
Notices:	
Hearings, etc..	
Ari-Ne-Mex Broadcasting Co..	6274
Berks Broadcasting Co.	
(WEEU)	6274
McClatchy Broadcasting Co.	
(KFBK-FM)	6273
Radio South, Inc.	6274
Scripps-Howard Radio, Inc.	
and Cleveland Broadcast-	
ing, Inc.	6273
Standard Broadcast Station	
KBLF	6274

#### CONTENTS—Continued

<b>Federal Power Commission</b>	Page
Notices:	
Hearings, etc..	
Colorado-Wyoming Gas Co..	6274
Trans-Continental Gas Pipe	
Line Corp.	6275
<b>Federal Trade Commission</b>	
Proposed rule making:	
Fine and wrapping paper dis-	
tributing industry hearing...	6276
<b>Land Management, Bureau of</b>	
Notices:	
Alaska; revocation of orders	
opening lands under Forest	
Homestead Act.	6272
Arizona; opening of public lands	
restored from Colorado River	
storage project.	6272
<b>National Labor Relations Board</b>	
Rules and regulations:	
Editorial changes incident to	
publication of Code of Federal	
Regulations, 1949 edition.	6266
<b>National Military Establishment</b>	
See also Army Department.	
Notices:	
Functions relating to finance	
and fiscal matters and activi-	
ties; transfer from Depart-	
ment of the Army to Depart-	
ment of the Air Force.	6270
<b>National Park Service</b>	
Rules and regulations:	
Areas administered; addition	
of certain surplus Govern-	
ment lands to Chicamauga	
and Chattanooga National	
Military Park, Georgia-Ten-	
nessee.	6267
<b>Public Health Service</b>	
Rules and regulations:	
Biologic products in short sup-	
ply initial processing at other	
than licensed establishment.	6269
Commissioned officers; foreign	
service allowances.	6268
<b>Securities and Exchange Commission</b>	
Notices:	
Hearings, etc.:	
Lehigh Valley Coal Corpora-	
tion	6276
Logansport Distilling Co.,	
Inc.	6276
Northern Virginia Power Co.	
and Potomac Edison Co.	6278
Peabody Coal Co.	6277
Philip Blum and Co., Inc.	6276
Public Service Co. of New	
Hampshire	6278
Standard Gas and Electric	
Co.	6278
Tri-Continental Corp. and	
General Shareholdings	
Corp.	6277
United Light and Railways	
Co. et al.	6279
<b>Territories and Island Possessions Division</b>	
Notices:	
President's Advisory Commis-	
sion on relation of Federal	
laws to Puerto Rico; oppor-	
tunity to submit recommen-	
dations.	6273

#### CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

<b>Title 3—The President</b>	Page
Chapter II—Executive Orders:	
8512 (see Transfer Order 25) ..	6270
9084 (see Transfer Order 25) ..	6270
9112 (see Transfer Order 25) ..	6270
9222 (see Transfer Order 25) ..	6270
9255 (see Transfer Order 25) ..	6270
9384 (see Transfer Order 25) ..	6270
9870 (revoked by EO 10011) ..	6263
9871 (see Transfer Order 25) ..	6270
9982 (revoked by EO 10011) ..	6263
10011 ..	6263
10012 ..	6265
<b>Title 5—Administrative Personnel</b>	
Chapter I—Civil Service Commission:	
Part 24—Formal education re-	
quirements for appointment	
to certain scientific, technical,	
and professional positions.	6265
<b>Title 6—Agricultural Credit</b>	
Chapter III—Farmers Home Ad-	
ministration, Department of	
Agriculture:	
Part 381—Routine.	6265
<b>Title 7—Agriculture</b>	
Chapter IX—Production and	
Marketing Administration	
(Marketing Agreements and	
Orders)	
Part 965—Milk in the Cincin-	
nati, Ohio, marketing area	
(proposed).	6270
Part 972—Milk in Tri-State	
marketing area (proposed) ..	6270
<b>Title 16—Commercial Practices</b>	
Chapter I—Federal Trade Com-	
mission:	
Proposed rule making.	6270
<b>Title 29—Labor</b>	
Chapter II—National Labor Rela-	
tions Board:	
Part 201—Description of organ-	
ization.	6266
<b>Title 32—National Defense</b>	
Chapter II—National Guard and	
State Guard, Department of	
the Army:	
Part 201—National Guard regu-	
lations.	6267
<b>Title 33—Navigation and Navigable Waters</b>	
Chapter I—Coast Guard, Depart-	
ment of the Treasury:	
Part 1—General organization	
and jurisdiction.	6267
<b>Title 36—Parks and Forests</b>	
Chapter I—National Park Service,	
Department of the Interior:	
Part 1—Areas administered by	
the National Park Service.	6267
<b>Title 42—Public Health</b>	
Chapter I—Public Health Service,	
Federal Security Agency:	
Part 21—Commissioned officers.	6268
Part 73—Biologic products.	6269

Bureau of the Budget thereunder as the Secretary and Director shall respectively determine, shall be published in the FEDERAL REGISTER.

HARRY S. TRULIAN

THE WHITE HOUSE,  
October 22, 1948.

[F. R. Doc. 48-9476; Filed, Oct. 25, 1948;  
11:11 a. m.]

## EXECUTIVE ORDER 10012

EXCLUDING FROM THE PROVISIONS OF THE CLASSIFICATION ACT OF 1923, AS AMENDED, POSITIONS FILLED BY PATIENTS IN GOVERNMENT HOSPITALS

By virtue of the authority vested in me by section 4, Title II of the act of Novem-

ber 26, 1940, 54 Stat. 1212, and as President of the United States, after suitable investigation by the Civil Service Commission, including consultation with representatives of the heads of executive departments and independent establishments concerned, and finding that such action is necessary to the more efficient operation of the Government, it is hereby ordered as follows:

1. There are hereby excluded from the provisions of the Classification Act of 1923, as amended and extended, positions filled by patients in hospitals operated by the Federal Government or the municipal government of the District of Columbia.

2. Unless otherwise provided by law, the rates of compensation for such positions shall be determined by the heads of the respective departments and independent establishments or by the Commissioners of the District of Columbia. No such rate of compensation shall exceed the rate which would be applicable to the position if it had remained under the provisions of the Classification Act of 1923, as amended.

3. This order shall take effect as to the several positions as of the first pay period commencing after the date hereof.

HARRY S. TRULIAN

THE WHITE HOUSE,  
October 22, 1948.

[F. R. Doc. 48-9475; Filed, Oct. 25, 1948;  
11:11 a. m.]

# RULES AND REGULATIONS

## TITLE 5—ADMINISTRATIVE PERSONNEL

### Chapter I—Civil Service Commission

PART 24—FORMAL EDUCATION REQUIREMENTS FOR APPOINTMENT TO CERTAIN SCIENTIFIC, TECHNICAL, AND PROFESSIONAL POSITIONS

#### PSYCHIATRIC SOCIAL WORKER

Section 24.20 *Psychiatric social worker P-1, War Department, Fort Story, Virginia*, is hereby revoked.

(Sec. 5, 58 Stat. 388; 5 U. S. C. Sup. 854)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] H. B. MITCHELL,  
President.

[F. R. Doc. 48-9398; Filed, Oct. 25, 1948;  
8:50 a. m.]

## TITLE 6—AGRICULTURAL CREDIT

### Chapter III—Farmers Home Administration, Department of Agriculture

#### Subchapter I—Account Servicing

##### PART 381—ROUTINE

#### SERVICING FARM OWNERSHIP LOANS; COUNTY OFFICE ROUTINE

Section 381.2, *Servicing Farm Ownership loans; except insured loans; County Office routine*, in Chapter III of Title 6, Code of Federal Regulations, (13 F. R. 1113) is amended to read as follows:

§ 381.2 *Servicing Farm Ownership loans; County Office Routine*—(a) *General*. This section describes the payment plans for the repayment of direct and insured Farm Ownership loans; provides procedures for the application of payments on direct and insured Farm Ownership accounts; for maintaining direct and insured Farm Ownership accounts in the County Office; for reamortizing direct Farm Ownership loans; and for processing fully paid direct Farm Ownership loans.

(b) *Definitions*—(1) *Classification of payments*. Payments on direct and insured Farm Ownership accounts will be classified as follows:

(i) *Regular payments*. All payments other than extra payments and refunds will be regular payments. Usually, they will be derived from farm income, but they will include also payments from off-farm income, inheritances, life insurance, and so forth. Most payments on Farm Ownership accounts will be regular payments.

(ii) *Extra payments*. Payments derived from the sale of mortgaged property, or from mineral royalties from leases which deprecate the value of the security, or from the cash proceeds of real property insurance, will be extra payments.

(iii) *Refunds*. Payments derived from unexpended Farm Ownership loan balances will be refunds. Usually, such payments will be made but once in the life of a Farm Ownership loan.

(2) *Installment on note and other charges*—(i) *Direct loans*. For a direct loan borrower, the term, "installment on note and other charges," as used in this section, will be the sum of the following:

(a) The amount of the annual installment for the year as provided in his promissory note(s)

(b) The amount of any recoverable cost charges paid by the Government during the year. These are payments for taxes, property insurance, special assessments, and other payments necessary for the protection of the security.

(ii) *Insured loans*. For an insured loan borrower, the term, "installment on note and other charges," as used in this Section, will be the sum of the following:

(a) The amount of the annual installment for the year as provided in his promissory note(s)

(b) The amount of the annual mortgage insurance charge.

(c) The amount of any recoverable cost charges paid by the lender or out of the mortgage insurance fund during the year. These are limited to advances in-

cident to the loan for taxes, property insurance, special assessments, and like payments in discharge of liens prior to the mortgage.

(d) The amount of any accrued interest on advances made out of the mortgage insurance fund.

(3) *Schedule status*. A direct or insured loan borrower will be "on schedule" when his cumulative regular payments through the last preceding March 31, not including the amount he has prepaid on that date, are equal to the accumulated installments on his note and other charges which are due through the same date as shown on Form FHA-677 or Form FHA-514. A direct or insured loan borrower will be "ahead of schedule" or "behind schedule," respectively, when such regular payments are greater or less than such accumulated installments on his note and other charges.

(4) *Maturity status*. A direct or insured loan borrower will be "current" when his cumulative regular payments through the last preceding March 31 are equal to the accumulated amounts matured, as determined on Form FHA-528, "Annual Income Return," (see § 363.71 of this chapter). A direct or insured loan borrower will be "prepaid" or "delinquent," respectively, when such regular payments are greater or less than such accumulated amounts matured.

(5) *Mortgage Insurance Account; insured loans*. The term "Mortgage Insurance Account" applies only to insured loan borrowers. The mortgage insurance account for a borrower is a combination of the following items:

(i) The annual mortgage insurance charge.

(ii) The amount of any advances made out of the mortgage insurance fund to meet defaulted payments of principal and interest, to pay taxes, special assessments, water rates, and other amounts which may become liens prior to the mortgage, or to pay property insurance.

(iii) The accrued interest on any such advances made out of the mortgage insurance fund.

(c) *Application of payments*—(1) *Regular payments on direct loan accounts.* All regular payments on direct loan accounts will be applied first to any unpaid balance of interest on the note. Any remainder will be applied to the principal balance on the note.

(2) *Regular payments on insured loan accounts.* All regular payments on insured loan accounts will be applied first to any unpaid balance of the mortgage insurance account, and second to any unpaid balance of interest on the note. Any remainder will be applied to the principal balance on the note.

(3) *Extra payments on direct and insured loan accounts.* All extra payments on direct or insured loan accounts will be applied first to any unpaid balance of interest on the note. Any remainder will be applied to the principal balance on the note. Extra payments will not relieve an insured loan borrower from paying the amount due the mortgage insurance account each year.

(4) *Refunds on direct and insured loan accounts.* All refunds on direct or insured loan accounts will be applied entirely to the principal balance on the note. Refunds will not relieve an insured loan borrower from paying the amount due the mortgage insurance account each year.

(5) *Area Finance Office handling.* The application of collections on direct and insured loan accounts will be reflected in the record of accounts maintained by the Area Finance Office as indicated by the County Supervisor on Form FHA-37, "Receipt for Payment."

(i) Amounts paid on a direct loan borrower's account will be credited as of the date of Form FHA-37.

(ii) Amounts paid on the mortgage insurance account will be credited to an insured loan borrower's account as of the date of Form FHA-37.

(iii) Amounts paid for the account of the lender will be credited to an insured loan borrower's account as of the date the United States Treasury check is issued to the lender.

(d) *Farm Ownership payment plans.* Direct and insured Farm Ownership loans will be repaid in accordance with Payment Plan I or Payment Plan II, as described below, except that direct or insured fixed payment loan borrowers whose loans were approved after October 31, 1946 will not be included in Payment Plan I or Payment Plan II.

(1) *Payment Plan I.* Payment Plan I applies to each direct Farm Ownership borrower whose loan was approved prior to November 1, 1946, and who signed Form FSA-LE 228, "Variable Payment Agreement," or Form FSA-550, "Promissory Note (Variable Payment Plan)" if he has not transferred to Payment Plan II. Payment Plan I applies also to a transferee who assumed the obligation of a variable payment transferor whose loan was approved prior to November 1, 1946, unless the transferor or transferee has signed Form FHA-165, "Variable-Payment Agreement." Under Payment Plan I, the amount to be matured each year will be determined on Form FHA-

528 by the County Supervisor on the basis of the borrower's ability to pay.

(2) *Payment Plan II.* (1) Payment Plan II applies (a) to all fixed payment direct loan borrowers whose loans were approved prior to November 1, 1946; (b) to all variable payment borrowers whose direct or insured loans were approved subsequent to October 31, 1946; and (c) to all direct loan borrowers who have signed Form FHA-165. The provisions of Payment Plan II are contained in Form FHA-190, "Promissory Note," in Form FHA-360, "Promissory Note (Insured Loan)" and in Form FHA-165, Under Payment Plan II.

(a) The County Supervisor will determine on Form FHA-528 each year whether the borrower's income for the year was (1) "normal or above normal"; or (2) "below normal."

(b) A borrower may make payments ahead of schedule at any time. He may later, in a year of "below normal" income, employ such ahead of schedule payments to supplement the amount available from that year's operations for application on the annual installment payable on his note. Ahead of schedule payments, however, will not relieve an insured loan borrower from paying the amount due the mortgage insurance account each year.

(c) At least one scheduled annual installment on his note and other charges will be due from the borrower each year of "normal or above normal" income, and for each year of "below normal" income when the borrower is not ahead of schedule.

(ii) A fixed payment borrower whose direct loan was approved prior to November 1, 1946, may continue to make fixed payments. However, he also may make payments ahead of schedule and later may employ such payments to supplement the amount available from that year's operations for application on the annual installment payable on his note in a year of "below normal" income. The County Supervisor, therefore, will maintain the account of such fixed payment borrower in the same manner as he does for other borrowers under Payment Plan II. Payments made in excess of the fixed amount by such fixed payment borrower prior to April 1, 1947, do not affect his schedule status.

(3) *Transfer from Payment Plan I to Payment Plan II.* (1) A borrower operating under Payment Plan I may transfer voluntarily to Payment Plan II by signing Form FHA-165 although it ordinarily will not be to his advantage to do so. However, a borrower operating under Payment Plan II will not be permitted to transfer to Payment Plan I.

(ii) The State Director is authorized to transfer a borrower under Payment Plan I who has signed Form FSA-LE 228 to Payment Plan II. Written notice of a compulsory transfer from Payment Plan I to Payment Plan II will be sent to the borrower by the State Director.

(e) *Processing fully paid direct Farm Ownership Loans*—(1) *Authorization.* The State Director is authorized to accept final payment on a direct Farm

Ownership loan and to execute the necessary releases and satisfactions.

(2) *Loans repaid in less than five years.* In the case of a loan to be repaid in less than five years from the date of the initial note, the County Supervisor will advise the State Office of the circumstances. In justifiable cases, the State Director is authorized to approve the acceptance of final payment before such five years have elapsed, except that the approval of the National Office is required when payment is to be made from sale of the farm outside the program where profit making is the only significant motive. If the State Director approves the acceptance of final payment, he will so advise the County Supervisor.

(3) *Preparation of receipt.* Final payment of the account will be indicated on Form FHA-37, "Receipt for Payment," by marking it "paid-in-full." Proceeds from the sale of a farm will be shown as an extra payment and other payments will be shown as a regular payment or a refund. The County Supervisor will advise the borrower as to the manner in which property insurance will be canceled, or release of mortgage interest executed. (60 Stat. 1062; Pub. Law 249, 80th Cong., 61 Stat. 493; Pub. Law 720, 80th Cong., Order, Sec. Agric., Oct. 14, 1946, 11 F. R. 12520, 7 CFR, 1946 Supp., page 524; Order, Acting Sec. Agric., Oct. 30, 1947, 12 F. R. 7137, 7 CFR, 1947 Supp., page 879)

Dated: October 8, 1948.

DILLARD B. LASSETER,  
Administrator,  
Farmers Home Administration.

Approved: October 20, 1948.

A. J. LOVELAND,  
Acting Secretary of Agriculture.

[F. R. Doc. 48-9389; Filed, Oct. 25, 1948;  
8:48 a. m.]

## TITLE 29—LABOR

### Chapter II—National Labor Relations Board

#### PART 201—DESCRIPTION OF ORGANIZATION

##### EDITORIAL CHANGES INCIDENT TO PUBLICATION OF CODE OF FEDERAL REGULATIONS, 1949 EDITION

The designation of the Description of Organization as Part 201 and the codification of §§ 201.1 to 201.12 inclusive, which describe the organization of the Board, are hereby discontinued.

Sections 201.1 to 201.19, inclusive, are redesignated sections 1 to 19 respectively and amendments will appear henceforth under such designations.

Future amendments to the description of organization will be published in the Notices section of the FEDERAL REGISTER.

[SEAL] PAUL M. HERZOG,  
Chairman.  
JAMES J. REYNOLDS,  
Member.  
J. COPELAND GRAY,  
Member

[F. R. Doc. 48-9376; Filed, Oct. 25, 1948;  
8:45 a. m.]

**TITLE 32—NATIONAL DEFENSE****Chapter II—National Guard and State Guard, Department of the Army****PART 201—NATIONAL GUARD REGULATIONS****BURIAL EXPENSES**

Rescind § 201.41 and substitute the following in lieu thereof:

§ 201.41 *Burial*—(a) *For whom authorized.* Burial is authorized by the act of June 15, 1936 and the act of October 14, 1940 for officers, warrant officers, and enlisted men of the National Guard:

(1) Who die while en route to or from or during attendance at encampments, maneuvers, or other exercises, or at service schools authorized under the provisions of sections 94, 97, and 99 of the National Defense Act, or while on active duty in time of peace as authorized by section 38, National Defense Act, as amended.

(2) Who die after the period of authorized attendance at encampments, maneuvers, or other exercises, or at service schools, or after relief from active duty, while undergoing hospitalization for a disease or injury contracted or incurred in line of duty while en route to or during attendance at encampments, maneuvers, or other exercises, or at service schools authorized under the provisions of sections 94, 97, and 99, National Defense Act, or while on active duty in time of peace as authorized by section 38, National Defense Act, as amended.

(3) Who die as a result of personal injury (as distinguished from disease) in line of duty, while participating in aerial flights in Government-owned aircraft prescribed under provisions of section 92 of the National Defense Act, or who die while undergoing hospitalization for such injury.

(b) *Burial expenses*—(1) *General.* Burial expenses are payable from appropriated National Guard funds and will be restricted to:

- (i) Recovery of body.
- (ii) Preparation for burial. (Burial expenses proper)
- (a) Undertaker's services including embalming and other preventive methods.
- (b) Cost of casket.
- (c) Cost of outside box, when required.
- (d) Hire of hearse.
- (iii) Clothing.
- (iv) Cremation, in lieu of interment, including a suitable urn, at a reasonable cost.
- (v) Interment expenses not to exceed \$50.
- (vi) Transportation of remains, including round-trip transportation and subsistence of an escort, to decedent's home or the place where he received orders for the period of training upon which engaged at the time of death, or to such other place as his relatives may designate provided the distance to such other place is not greater than the distance to his home. In connection with interment in a national cemetery, only those members of the National Guard who have had active Federal service and whose last service therein terminated

honorably would be eligible for burial in a national cemetery. For the method of shipment and by whom determined, see paragraph 152, TM 55-590, "Transportation of National Guard Troops, Materiel and Supplies."

(2) *Flag.* An interment flag is authorized to be furnished to drape the casket containing the remains of each officer, warrant officer, or enlisted man. The flag may be retained by the legal next of kin after the funeral.

(3) *Clothing.* The clothing issued to the deceased will be used to clothe the remains, if available, and in a clean and good condition; otherwise new clothing may be issued for this purpose. In these circumstances, the following articles of clothing are authorized to be dropped from the accountability of the State upon certificate of the responsible officer:

- 1 coat, or jacket, field, cotton or wool.
- 1 pair slacks, cotton or wool.
- 1 shirt, cotton or wool.
- 1 pair stockings, cotton or wool.
- 1 cravat.
- 2 collar insignia.

In the case of officers and warrant officers who are not entitled to issue clothing and in any case of an enlisted man where neither his own clothing nor issue clothing is available, necessary clothing may be purchased chargeable to funds available for the disposition of remains.

(4) *Interment expenses.* (i) Expenses not to exceed \$50 incident to interment.

(ii) When the remains are shipped to the home of the deceased, the next of kin may engage the services of an undertaker to receive the remains and inter them. Such next of kin or other persons will be reimbursed for interment expenses actually incurred up to, but not exceeding the \$50 maximum; any expenses over and above this amount must be borne by the next of kin or other persons who incurred the expenses. A certificate executed by the person incurring the interment expenses as to amount incurred, should be submitted by such person to the United States Property and Disbursing Officer, of the State of which the deceased was a member of the National Guard, who arranged for preparation and shipment of the remains. The certificate must be accompanied or supported by a receipted bill (or bills) for services rendered. The United States Property and Disbursing Officer, upon receiving the certificate, will prepare reimbursement voucher and submit it to a disbursing officer for payment.

(iii) When remains are shipped to a national cemetery for interment, in the absence of instructions from relatives, the United States Property and Disbursing Officer will arrange by direct negotiation with an undertaker at destination, or will direct the escort accompanying the remains to destination, to make necessary arrangements to have the remains met at the railroad station and transported to the cemetery. In such cases, the undertaker rendering the services will submit his invoice to the United States Property and Disbursing Officer who will prepare a receiving report and voucher covering the services rendered and forward them to a disbursing officer for settlement.

(5) *Cremation.* Remains may be cremated upon written request of legal next of kin only, either at place of death, or after arrival at destination. In addition to the cost of cremation, a reasonable amount for a suitable urn for the ashes is authorized.

(6) *Limitation on burial expense proper.* This expense will not exceed the average price of contracts in the army area for such services for the fiscal year. [NGR 63, Jan. 31, 47] (49 Stat. 1507; 32 U. S. C. 164a-164c)

[SEAL] EDWARD F. WITSELL,  
Major General,  
The Adjutant General.

[F. R. Doc. 48-8333; Filed, Oct. 25, 1948;  
8:50 a. m.]

**TITLE 33—NAVIGATION AND NAVIGABLE WATERS****Chapter I—Coast Guard, Department of the Treasury****[CGFR 42-52]****PART 1—GENERAL ORGANIZATION AND JURISDICTION****ABOLISHMENT OF NEW HAVEN MARINE INSPECTION OFFICE**

By virtue of the authority vested in me as Commandant, United States Coast Guard, by section 101 of Reorganization Plan No. 3 of 1946, 11 F. R. 7875, the following amendment to the regulations is prescribed and shall become effective on and after November 1, 1948:

Section 1.10-20 *Marine inspection districts and offices* (13 F. R. 1815) is amended by deleting in paragraph (a) the name "New Haven—311 Federal Building, New Haven 10, Connecticut" from the listing of marine inspection offices in the 3d Coast Guard District (sec. 3, 60 Stat. 238; 5 U. S. C. 1002).

The Marine Inspection Office at New Haven, Connecticut, will be abolished and its functions, files, and equipment will be transferred to the Marine Inspection Office at New London, Connecticut, effective on and after November 1, 1948.

Dated: October 19, 1948.

[SEAL] J. F. FARLEY,  
Admiral, U. S. Coast Guard,  
Commandant.

[F. R. Doc. 48-9400; Filed, Oct. 25, 1948;  
8:50 a. m.]

**TITLE 36—PARKS AND FORESTS****Chapter I—National Park Service, Department of the Interior****PART 1—AREAS ADMINISTERED BY THE NATIONAL PARK SERVICE****NOTICE CONCERNING ADDITION OF CERTAIN SURPLUS GOVERNMENT LANDS TO CHICKAMAUGA AND CHATTANOOGA NATIONAL MILITARY PARKS, GEORGIA-TENNESSEE**

Notice is hereby given that pursuant to the act of June 24, 1948 (Public Law 764, 80th Cong.), effective on the date of publication hereof, the following described lands, formerly comprising a portion of

Fort Oglethorpe, Georgia, are added to and shall comprise a part of the Chickamauga and Chattanooga National Military Park, Georgia-Tennessee:

All those tracts or parcels of land lying and being in Catoosa County, Georgia, and in the 9th Land District, 4th Section of said County and being parts of Land Lots Nos. 96 and 97, and being described as follows:

**Tract No. 1.** Beginning at a concrete marker at the common corner of Land Lots Nos. 96, 98, 121 and 122 which is the southeastern corner of the Fort Oglethorpe Reservation and running thence with the land lot line between Land Lots 121 and 96 and the land lot line between Land Lots 120 and 97, S. 89°16'01" W. 3341.76 feet to a corner; thence along the eastern boundary of LaFayette Road with a curve to the right, the radius of which is 312.95 feet, and the chord of which is N. 72°22'30" W. 197.1 feet for a distance of 200.5 feet to the beginning of another curve the radius of which is 70 feet, and the chord of which is N. 27°31' W. 62.5 feet, a distance of 67.75 feet to a point on the eastern boundary line of LaFayette Road, thence along the eastern boundary line of LaFayette Road N. 1°01' W. 667.95 feet to the intersection of the eastern boundary line of LaFayette Road with the southern boundary line of Harker Road, thence along the southern boundary line of Harker Road N. 88°59' E. 188.66 feet to a point; thence S. 1°01' E. 280 feet to a point; thence N. 88°59' E. 256 feet to a point; thence S. 1°01' E. 108 feet to a point; thence N. 89°16'01" E. 3117.47 feet to a point on the eastern land lot line of Land Lot 96; thence S. 0°11'27" E. 400.02 feet along said land lot line, to the point of beginning, said tract of land containing 34.854 acres, more or less.

**Tract No. 2.** Beginning at a point which is the intersection of the southern boundary line of Hedekin Road and the eastern boundary line of South Gate Road, thence with the southern boundary line of Hedekin Road N. 89°04' E. 314.6 feet to the beginning of a curve, the radius of which is 346.65 feet, and the chord of which is N. 53°14' E. 405.9 feet, thence along said curve 433.6 feet to the beginning of another curve, the radius of which is 346.65 feet, and the chord of which is N. 12°54' E. 54.4 feet, thence along said curve 54.5 feet to a point; thence N. 8°24' E. 275.2 feet to a point; thence N. 88°59' E. 187.9 feet to a point on the western boundary line of LaFayette Road; thence along the western boundary line of LaFayette Road S. 1°01' E. 483.1 feet to the beginning of a curve to the right the radius of which is 70 feet, and the chord of which is S. 29°59' W. 72.1 feet, thence along said curve 75.7 feet to the beginning of another curve to the right, the radius of which is 465.76 feet, and the chord of which is S. 75°08' W. 227.6 feet, thence along said curve, 229.9 feet to a point on the northern boundary line of Reed's Bridge Road, thence along the northern boundary line of Reed's Bridge Road S. 89°16' W. 632.2 feet to its intersection with the eastern boundary line of South Gate Road; thence along the eastern boundary line of South Gate Road N. 0°40' W. 35.1 feet to the point of beginning, said tract of land containing 3.459 acres, more or less.

**Tract No. 3.** Beginning at a point, which point is N. 89°16' E. 91.7 feet from a concrete marker which is the common corner of Land Lots Nos. 97, 98, 119, and 120; thence N. 0°44' W. 306.4 feet to a point on the west boundary line of Hedekin Road, thence with the boundary line of Hedekin Road along a curve, the radius of which is 282.47 feet, and the chord of which is S. 46°48'30" E. 393.3 feet, a distance of 435.1 feet to a point on the southern boundary line of Hedekin Road, thence N. 89°04' E. 413.9 feet to the intersection of the southern boundary line of Hedekin Road with the western boundary line of South Gate Road, thence with the western boundary line of South Gate Road

S. 0°40' E. 35 feet to its intersection with the northern boundary line of Reed's Bridge Road; thence with the northern boundary line of Reed's Bridge Road S. 89°16' W. 697.1 feet to the point of beginning, said tract of land containing 0.937 acre, more or less.

**Tract No. 4.** Beginning at a point which point is the intersection of the southern boundary line of Barnhardt Circle with the eastern boundary line of Ida Lane thence with a curve, the radius of which is 120 feet and the chord of which is S. 72°10' E. 84.1 feet; a distance or 85.9 feet to a point; thence N. 89°20' E. 126.8 feet to a point; thence S. 0°40' E. 121.1 feet to a point on the northern boundary line of Hedekin Road; thence along the northern boundary line of Hedekin Road S. 89°04' W. 94 feet to a point which is the beginning of a curve to the right the radius of which is 252.47 feet, and the chord of which is N. 86°56' W. 65.2 feet, thence with said curve 66 feet to the beginning of another curve, the radius of which is 312 feet, and the chord of which is N. 67°40' W. 133 feet, thence along said curve 134.6 feet to the intersection of the northern boundary line of Hedekin Road with the eastern boundary line of Ida Lane; thence with the eastern boundary line of Ida Lane along a curve to the right, the radius of which is 312 feet, and the chord of which is N. 32°21' E. 121.4 feet, a distance of 124.7 feet to the point of beginning, said tract of land containing 0.703 acre.

**Tract No. 5.** Beginning at a point where the southwest boundary line of Barnhardt Circle intersects the northwestern boundary line of Ida Lane and running thence along the northwest boundary line of Ida Lane with a curve to the left the radius of which is 352 feet and the chord of which is S. 35°09' W. 122.1 feet a distance of 124.8 feet to the intersection with the northeastern boundary line of Hedekin Road, thence along the northeastern boundary line of Hedekin Road along a curve to the right, the radius of which is 252.47 feet and the chord of which is N. 22°45' W. 173.3 feet a distance of 176.9 feet to a point; thence N. 84°32' W. 121.8 feet to a point on the southwest boundary line of Barnhardt Circle, thence along the southwest boundary line of Barnhardt Circle along a curve, the radius of which is 120 feet and the chord of which is S. 12°38' E. 73.4 feet, a distance of 74.6 feet to the point of beginning, said tract of land containing 0.324 acre.

Said tracts of land containing in the aggregate 40.277 acres.

The administration, protection, and development of these lands as a part of the Chickamauga and Chattanooga National Military Park shall be exercised by the National Park Service in accordance with the provisions of the act of August 25, 1916 (39 Stat. 535, 16 U. S. C., 1946 ed., secs. 1-3; E. O. No. 6166, June 10, 1933, as amended by E. O. No. 6228, July 28, 1933, 5 U. S. C., 1946 ed., sec. 132 [note])

C. GIRARD DAVIDSON,  
Acting Secretary of the Interior.

OCTOBER 19, 1948.

[F. R. Doc. 48-9397; Filed, Oct. 25, 1948; 8:50 a. m.]

## TITLE 42—PUBLIC HEALTH

### Chapter I—Public Health Service, Federal Security Agency

#### PART 21—COMMISSIONED OFFICERS

#### SUBPART Q—FOREIGN SERVICE ALLOWANCES

1. Effective June 1, 1948, § 21.356 is amended by adding at the end thereof the following new paragraph:

(f) Notwithstanding the time limitations prescribed in paragraphs (b) and (c) of this section, the Surgeon General with the approval of the Administrator may extend the length of time for which the maximum prescribed travel allowances may be payable whenever he determines that an extension is warranted by special conditions applicable to an area or by the special nature of a duty assignment.

2. Effective October 1, 1948, except where otherwise provided, Appendix A (13 F. R. 5072) is revised to read as follows:

#### FOREIGN SERVICE ALLOWANCE RATES

##### OFFICERS

##### Class I

Station		Total	Travel
Subsistence	Quarters		
None	None	None	\$7.00

NOTE: The above allowances are applicable to all countries and places outside the continental United States not otherwise listed hereon.

##### Class II

\$2.55	\$2.60	\$5.05	\$3.00
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Czechoslovakia, Island of Cyprus,  
Colombia (except Bogota).

##### Class III

\$2.55	\$3.75	\$6.30	\$9.00
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Hungary, China (including Hong Kong).

##### Class IV

\$3.00	\$0.75	\$3.75	\$7.00
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Cuba (except Havana), Equador,  
Belgium, Brazil (except Rio de Janeiro, Sao Paulo and Recife),  
Costa Rica, Honduras,  
Great Britain and Northern Ireland (except London), El Salvador,  
Guatemala, Dominican Republic,  
Nicaragua, Surinam,  
Chile (except Punta Arenas), Bolivia,  
Paraguay, Morocco,  
Peru.

##### Class V

\$3.00	\$1.00	\$4.00	\$7.00
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Afghanistan, Liberia (except Monrovia),  
Algeria, Netherlands,  
Alaska, Norway,  
Bermuda, Uruguay,  
Denmark, Spain,  
Ethiopia, Sweden,  
Finland, Tunisia,  
Reef, Brazil, Trieste (free city of),  
Irish Free State, Union of South Africa,  
Italy (except Rome and Naples).

##### Class VI

\$3.75	\$0.75	\$4.50	\$7.25
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Burma (except Rangoon).

##### Class VII

\$3.75	\$1.00	\$4.75	\$9.00
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Portugal.



FOREIGN SERVICE ALLOWANCE RATES—Continued  
OFFICERS—continued  
Class VIII

Station		Total	Travel
Subsistence	Quarters		
\$3.75	\$1.50	\$5.25	\$3.00

Ceylon.  
Egypt (except Cairo).  
India.  
French Indo-China.

Mexico City.  
London.  
Siam.  
Pakistan (except Karachi)

## Class IX

\$3.75	\$2.00	\$5.75	\$9.00
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Bogota, Colombia.

## Class X

\$3.75	\$3.00	\$6.75	\$10.00
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Cairo, Egypt.  
Switzerland.

Philippine Islands.

## Class XI

\$3.75	\$4.00	\$7.75	\$11.00
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Bulgaria. Netherlands, East Indies.

## Class XII

\$4.50	\$1.50	\$6.00	\$9.00
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Havana, Cuba.  
Syria.

Monrovia, Liberia.

## Class XIII

\$5.25	\$1.75	\$7.00	\$10.00
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Iraq.  
Naples, Italy.

Rome, Italy.

## Class XIV

\$6.00	\$1.50	\$7.50	\$10.00
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Republic of Lebanon.  
Rangoon, Burma.  
Singapore.

Turkey.  
Malayan Union.  
Karachi, Pakistan.

## Class XV

\$7.50	\$3.50	\$11.00	\$15.00
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None.

## Class XVI

\$6.00	\$3.00	\$9.00	\$12.00
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Iceland.  
Yugoslavia.

Rumania.

## Class XVII

None	\$1.75	\$1.75	\$7.00
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Australia. New Zealand.

## Class XVIII

\$3.00	None	\$3.00	\$7.00
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Paris &amp; Orly Field, France.

FOREIGN SERVICE ALLOWANCE RATES—Continued  
OFFICERS—continued  
Special classification

Station		Total	Travel
Subsistence	Quarters		
\$7.00	\$3.00	\$10.00	\$15.00

Palestine.  
Trans Jordan.

State of Israel.

NOTE: Effective as of June 1, 1948. Maximum travel allowance is payable without regard to length of time as long as in a travel status. (See section 21.249 (f).)

\$9.00	\$5.00	\$14.00	\$18.00
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Union of Soviet Socialist Republics.

\$4.00	\$2.00	\$7.00	\$7.00
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Wake Island. Canton Island.

\$3.25	\$3.75	\$12.00	\$12.00
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Greece (personnel not in receipt of diplomatic exchange rate).

NOTE: Greece (personnel in receipt of diplomatic exchange rate, allowances prescribed in class I applicable).

\$5.25	\$3.75	\$9.00	\$9.00
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Punta Arenas, Chile.

\$3.75	\$3.25	\$10.00	\$11.00
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Poland (personnel not in receipt of diplomatic exchange rate).

NOTE: Poland (personnel in receipt of diplomatic exchange rate, allowances prescribed in class I applicable).

\$3.75	\$3.25	\$7.00	\$7.00
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Bahrein Island, Persian Gulf.

\$3.75	\$4.75	\$3.00	\$3.00
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Rio de Janeiro, Brazil.  
Sao Paulo, Brazil.

Argentina.

\$3.75	\$5.25	\$12.00	\$15.00
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Venezuela.

[SEAL]

W. P. DEARING,  
Acting Surgeon General.

Approved: October 20, 1948.

J. DONALD KINGSLEY,  
Acting Federal Security  
Administrator.

[F. R. Doc. 48-9402; Filed, Oct. 25, 1948;  
8:51 a. m.]

## PART 73—BIOLOGIC PRODUCTS

PRODUCTS IN SHORT SUPPLY; INITIAL PROCEEDINGS AT OTHER THAN LICENSED ESTABLISHMENT

The following amendment is prescribed to the regulations relating to biologic products.

1. The table of contents of Part 73 is amended by adding under the heading "Licenses; Procedure" the following:

73.18 Products in short supply; initial processing at other than the licensed establishment.

2. A new section is added immediately following § 73.14 and reading as follows:

§ 73.15 Products in short supply; initial processing at other than licensed establishment. Licenses issued to a manufacturer for an establishment shall authorize persons other than such manufacturer to conduct at places other than such establishment the initial and partial processing of a product for shipment solely to such manufacturer only to the extent that the names of such persons and places are registered with the Surgeon General and he finds, upon application of such manufacturer, that (a) the product is in short supply due either to the peculiar growth requirements of the organism involved or to the scarcity of the animal required for production purposes, and (b) such manufacturer has established with respect to such persons and places such procedures, inspections, tests or other arrangements as will assure full compliance with the applicable regulations of this part related to continued safety, purity and potency. Such persons and places shall be subject to all regulations of this part except §§ 73.2 to 73.14, 73.20 to 73.24, and 73.50 to 73.55. Failure of such manufacturer to maintain such procedures, inspections, tests or other arrangements, or failure of any person conducting such processing to comply with applicable regulations shall constitute a ground for summary suspension or revocation of the authority conferred pursuant to this section on the same basis as provided in §§ 73.10, 73.12 and 73.13 with respect to the summary suspension and the revocation of licenses. (58 Stat. 702; 42 U. S. C. 262)

3. This amendment is prescribed under authority of section 351 of the Public Health Service Act (58 Stat. 702; 42 U. S. C. 262) and shall become effective on the date of publication in the FEDERAL REGISTER. Compliance with the provisions of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C. 1003) with respect to notice of proposed rule making and delayed effective date is found to be unnecessary and contrary to the public interest because this amendment is necessary to assure a supply of scarce biologics important to the public health and constitutes relief from existing restrictions.

[SEAL]

W. P. DEARING,  
Acting Surgeon General.

Approved: October 14, 1948.

OSCAR R. EWING,  
Federal Security Administrator.

[F. R. Doc. 48-9393; Filed, Oct. 25, 1948;  
8:48 a. m.]

## PROPOSED RULE MAKING

### DEPARTMENT OF AGRICULTURE

#### Production and Marketing Administration

##### [7 CFR, Part 965]

[Docket No. AO-166-A10]

#### CINCINNATI, OHIO, MILK MARKETING AREA

##### NOTICE OF HEARING ON HANDLING OF MILK

Proposed amendments to the tentative marketing agreement, and to the order, as amended, regulating the handling of milk in the Cincinnati, Ohio, milk marketing area.

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, (7 U. S. C. 601 et seq.) and in accordance with the applicable rules of practice and procedure, as amended, (7 CFR, 900.1 et seq., 12 F. R. 1159, 4904) notice is hereby given of a public hearing to be held at Hotel Sinton, Crystal Room, 4th and Vine Streets, Cincinnati, Ohio, beginning at 10:00 a. m., e. s. t., October 30, 1948, for the purpose of receiving evidence with respect to proposed amendments to the tentative marketing agreement heretofore approved by the Secretary of Agriculture and to the order, as amended, regulating the handling of milk in the Cincinnati, Ohio, milk marketing area (7 CFR, Supps. 965.0 et seq., 12 F. R. 4931). These proposed amendments have not received the approval of the Secretary of Agriculture.

This public hearing is for the purpose of receiving evidence with respect to the economic and emergency conditions which relate to the establishment of Class I and Class II prices for a limited period of time in 1948 and 1949.

The following amendments have been proposed:

1. Amend § 965.6 (a) (1) and (a) (2) to delete the provisos contained therein and to provide that the prices for Class I and Class II milk for a limited period in 1948 and 1949, but not beyond March 1949, shall not be less than the prices in effect for such classes of milk in September 1948.

Copies of this notice of hearing and of the tentative marketing agreement, and the order, as amended, now in effect, may be procured from the Market Administrator, 152 East 4th Street, Cincinnati, Ohio, or from the Hearing Clerk, United States Department of Agriculture, Room 1844, South Building, Washington 25, D. C., or may be there inspected.

Dated: October 22, 1948.

[SEAL] JOHN I. THOMPSON,  
Assistant Administrator

[F. R. Doc. 48-9465; Filed, Oct. 25, 1948;  
9:46 a. m.]

##### [7 CFR, Part 972]

[Docket No. AO-177-A-7]

#### TRI-STATE MILK MARKETING AREA

##### NOTICE OF HEARING ON HANDLING OF MILK

Proposed amendments to the tentative marketing agreement, and order, as amended, regulating the handling of milk in the Tri-State milk marketing area.

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 1940 ed. 601 et seq.), and in accordance with the applicable rules of practice and procedure, as amended (7

CFR, Supps. 900.1 et seq., 11 F. R. 7737, 12 F. R. 1159, 4904), notice is hereby given of a public hearing to be held at the Pritchard Hotel, Huntington, West Virginia, beginning at 10:00 a. m. e. s. t., November 1, 1948, for the purpose of receiving evidence with respect to proposed amendments to the tentative marketing agreement as heretofore approved (12 F. R. 12926, 12 F. R. 4243, 13 F. R. 2330). These proposed amendments have not received the approval of the Secretary of Agriculture.

This public hearing is for the purpose of receiving evidence with respect to economic and emergency conditions which relate to the proposed amendments hereinafter set forth:

The following amendments have been proposed:

Amend § 972.5 (b) and (c) to delete the provisos contained therein and to provide that the prices for Class I and Class II milk for a limited period in 1948 and 1949 but not beyond March 1949, shall not be less than the prices in effect for such classes of milk in September 1948.

Copies of this notice of hearing and of the tentative marketing agreement, and the order, as amended, now in effect, may be procured from the market administrator, 527 First Huntington National Bank Building, Huntington, West Virginia, or from the Hearing Clerk, United States Department of Agriculture, in Room 1844, South Building, Washington 25, D. C., or may be there inspected.

Dated: October 22, 1948.

[SEAL] JOHN I. THOMPSON,  
Assistant Administrator

[F. R. Doc. 48-9466; Filed, Oct. 25, 1948;  
9:47 a. m.]

## NOTICES

### DEPARTMENT OF THE TREASURY

#### Bureau of Customs

[T. D. 52071]

#### BARBER OIL CORP. AND TRINIDAD CORP.

#### REGISTRATION OF HOUSE FLAG AND FUNNEL MARK

OCTOBER 20, 1948.

House flag and funnel mark of the Barber Oil Corporation and the Trinidad Corporation registered in accordance with § 3.81 (a) Customs Regulations of 1943.

The Acting Commissioner of Customs, by virtue of the authority vested in him by section 7 of the act of May 28, 1908 (U. S. C., title 46, sec. 49), as modified by section 102, Reorganization Plan No. 3 of 1946 (3 CFR, 1946 Supp., ch. IV) and in accordance with § 3.81 (a) Customs Regulations of 1943 (19 CFR, 1944 Supp.,

3.81 (a)) has re-registered in the name of the Barber Oil Corporation, a Delaware corporation, and its wholly owned subsidiary, the Trinidad Corporation, a Delaware corporation, the house flag and funnel mark originally registered and described in the notice published in the FEDERAL REGISTER for November 6, 1946 (T. D. 51557; 11 F. R. 13216) and re-registered in a notice published in the FEDERAL REGISTER for July 12, 1947 (T. D. 51715; 12 F. R. 4653).

The previous registration and re-registration of the house flag and funnel mark in the names of the Barber Asphalt Corporation, the Trinidad Corporation, and the Trinidad Navigation Corporation are hereby cancelled.

[SEAL] FRANK DOW,  
Acting Commissioner of Customs.

[F. R. Doc. 48-9401; Filed, Oct. 25, 1948;  
8:51 a. m.]

### NATIONAL MILITARY ESTABLISHMENT

#### Secretary of Defense

[Transfer Order 25]

#### ORDER TRANSFERRING FROM DEPARTMENT OF THE ARMY TO DEPARTMENT OF THE AIR FORCE FUNCTIONS RELATING TO FINANCE AND FISCAL MATTERS AND ACTIVITIES

Pursuant to the authority vested in me by the National Security Act of 1947 (act of July 26, 1947; Public Law 253, 80th Cong.) and in order to effect certain transfers authorized or directed therein, it is hereby ordered as follows:

1. In addition to the functions, powers and duties transferred by Transfer Order No. 11, National Military Establishment, dated May 10, 1948, there are hereby transferred to and vested in the Secretary of the Air Force and the Depart-



ment of the Air Force, all functions, powers and duties relating to finance and fiscal matters and activities, insofar as they may pertain to the Department of the Air Force or the United States Air Force or their property or personnel, which are vested in the Secretary of the Army or the Department of the Army or any officer of that Department by the following laws, parts of laws, and Executive orders, as limited by other laws, parts of laws, and Executive orders, whether or not specifically set forth herein:

a. Act of June 3, 1916, c. 134, sec. 9a, as added by the act of June 4, 1920, c. 227, (subch. I, sec. 9 (41 Stat. 766; 10 U. S. C. 172))

b. Act of August 26, 1842, c. 202, sec. 19 (5 Stat. 527; R. S. 3683; 31 U. S. C. 675)

c. Act of July 9, 1918, c. 143 (40 Stat. 871; 10 U. S. C. 1424)

d. Act of August 2, 1946, c. 744, sec. 12 (60 Stat. 809; 5 U. S. C. 22a).

e. Act of June 30, 1932, c. 314, sec. 313 (47 Stat. 411; 5 U. S. C. 104a)

f. Act of June 30, 1906, c. 3914, sec. 5 (34 Stat. 763) as amended by the act of August 24, 1912, c. 391, sec. 1, 3 (37 Stat. 579, 591, 31 U. S. C. 626)

g. Act of June 10, 1921, c. 18, sec. 213 (42 Stat. 23; 31 U. S. C. 21)

h. Executive Order No. 8512, August 13, 1940 (5 F. R. 2849) as amended by Executive Order No. 9084, March 3, 1942 (7 F. R. 1709)

i. Executive Order No. 9384, October 4, 1943 (8 F. R. 13782)

j. Act of June 5, 1920, c. 240 (41 Stat. 975; 31 U. S. C. 536)

k. Act of March 3, 1817, c. 45, Sec. 5, 9 (3 Stat. 367) as amended by the act of May 7, 1822, c. 90, sec. 3 (3 Stat. 689; R. S. 3673) and the act of June 10, 1921, c. 18, sec. 304 (42 Stat. 24; 31 U. S. C. 631)

l. Act of July 31, 1894, c. 174, sec. 22 (28 Stat. 210) as amended by the act of June 10, 1921, c. 18, sec. 304 (42 Stat. 24; 31 U. S. C. 75)

m. Act of August 23, 1912, c. 350, sec. 1 (37 Stat. 375) as amended by the act of June 10, 1921, c. 18, sec. 304 (42 Stat. 24; 31 U. S. C. 82)

n. Act of July 17, 1862, c. 199, sec. 1 (12 Stat. 593) as amended by Res. of March 2, 1867, No. 48 (14 Stat. 571) and the act of July 15, 1870, c. 295, sec. 15 (16 Stat. 334; R. S. 3622) and the act of February 27, 1877, c. 69, sec. 1 (19 Stat. 249) and the act of July 31, 1894, c. 174, sec. 12 (28 Stat. 209), and the act of June 10, 1921, c. 18, sec. 304 (42 Stat. 24; 31 U. S. C. 496)

o. Act of March 2, 1901, c. 803 (31 Stat. 910) as amended by the act of July 9, 1918, c. 143, subch. XVIII (40 Stat. 892), and the act of June 10, 1921, c. 18, sec. 304, 309 (42 Stat. 24, 25; 31 U. S. C. 80).

p. Act of March 2, 1905, c. 1307 (33 Stat. 832) as amended by the act of June 4, 1920, c. 227, subch. I, sec. 9 (41 Stat. 766) and the act of June 10, 1921, c. 18 (42 Stat. 20; 10 U. S. C. 177).

q. Act of July 31, 1894, c. 174, sec. 8 (28 Stat. 207) as amended by the act of June 10, 1921, c. 18, sec. 304 (42 Stat. 24; 31 U. S. C. 74).

r. Act of May 26, 1936, c. 452 (49 Stat. 1374; 5 U. S. C. 46b).

s. Act of March 4, 1915, c. 143, sec. 1 (38 Stat. 1084), as amended by the act of May 21, 1920, c. 194, sec. 7 (41 Stat. 613), and the act of June 30, 1932, c. 314, sec. 601 (47 Stat. 417), and the act of June 22, 1936, c. 689, Title IV, sec. 8 (49 Stat. 1648) and the act of July 20, 1942, c. 507 (56 Stat. 661; 31 U. S. C. 686 (a)).

t. Act of November 19, 1919, c. 118 (41 Stat. 360; 20 U. S. C. 93).

u. Act of June 20, 1939, c. 220 (53 Stat. 843; 24 U. S. C. 298).

v. Act of May 29, 1945, c. 135, sec. 1 (59 Stat. 225; 31 U. S. C. 222c)

w. Act of July 3, 1943, c. 189, sec. 1 (57 Stat. 372) as amended by the act of May 29, 1945, c. 135, sec. 1 (59 Stat. 225), and the act of June 28, 1946, c. 514, sec. 1 (60 Stat. 332; 31 U. S. C. 223b).

x. Act of January 2, 1942, c. 645, sec. 1 (55 Stat. 880) as amended by the act of April 22, 1943, c. 67, sec. 1 (57 Stat. 66; 31 U. S. C. 224d)

y. Act of March 2, 1907, c. 2511 (34 Stat. 1159; 10 U. S. C. 891).

z. Act of March 2, 1913, c. 93 (37 Stat. 710; 10 U. S. C. 869)

aa. Act of October 26, 1942, c. 624 (56 Stat. 987; 60 U. S. C. App., Supp. V., 836)

bb. Act of February 13, 1936, c. 66 (49 Stat. 1137; 24 U. S. C. 44a).

cc. Act of May 15, 1872, c. 161, sec. 1 (17 Stat. 117; R. S. 1305), as amended by the act of June 12, 1906, c. 3078 (34 Stat. 246) and the act of June 3, 1916, c. 134, sec. 9a, as added by the act of June 4, 1920, c. 227, subch. I, sec. 9 (41 Stat. 766) and amended by the act of December 18, 1942, c. 765, sec. 1 (56 Stat. 1057; 10 U. S. C. 906).

dd. Act of May 15, 1872, c. 161; sec. 2 (17 Stat. 117; R. S. 1306) as amended by the act of March 3, 1883, c. 93, sec. 1 (22 Stat. 456) and the act of December 18, 1942, c. 765, sec. 2 (56 Stat. 1058; 10 U. S. C. 907)

ee. Act of May 15, 1872, c. 161, sec. 4 (17 Stat. 117; R. S. 1307; 10 U. S. C. 908).

ff. Act of June 3, 1916, c. 134, sec. 9a, as added by the act of December 17, 1919, c. 6, sec. 1, 2 (41 Stat. 367), and as amended by the act of June 4, 1920, c. 227, subch. I, sec. 9 (41 Stat. 766) and the act of March 2, 1923, c. 178, Title I (42 Stat. 1385) and the act of December 17, 1943, c. 343, sec. 1 (57 Stat. 593; 10 U. S. C. 903).

gg. Act of June 12, 1906, c. 3078 (34 Stat. 246), as amended by the act of August 24, 1912, c. 391, sec. 3 (37 Stat. 591), and the act of June 3, 1916, c. 134, sec. 9a, as added by the act of June 4, 1920, c. 227, sec. 9 (41 Stat. 766; 10 U. S. C. 870).

hh. Act of March 21, 1947, c. 21 (61 Stat. 23; 10 U. S. C. 760).

ii. Act of June 16, 1942, c. 413, sec. 12 (56 Stat. 364) as amended by the act of September 7, 1944, c. 407, sec. 9 (58 Stat. 730) and the act of August 2, 1946, c. 756, Title II, sec. 202-205 (60 Stat. 858; 37 U. S. C. 112).

jj. Executive Order No. 9222, August 15, 1942 (7 F. R. 6511).

kk. Act of June 3, 1941, c. 165, sec. 4 (55 Stat. 240; 10 U. S. C. 304b).

ll. Act of June 3, 1916, c. 134, sec. 126 (39 Stat. 217) as amended by the act of February 28, 1919, c. 70, sec. 3 (40 Stat.

1203), and the act of September 22, 1922, c. 409 (42 Stat. 1021), and the act of December 14, 1942, c. 728 (56 Stat. 1049), and the act of August 2, 1946, c. 756, sec. 21 (60 Stat. 856; 10 U. S. C. 752).

mm. Act of October 6, 1945, c. 393, sec. 6 (59 Stat. 539; 10 U. S. C. 751a)

nn. Act of June 3, 1916, c. 134, sec. 67 (39 Stat. 199) as amended by the act of September 22, 1922, c. 423, sec. 3 (42 Stat. 1034) and the act of April 6, 1928, c. 321 (45 Stat. 406), and the act of June 15, 1933, c. 87, sec. 16 (48 Stat. 159; 32 U. S. C. 22)

oo. Act of March 4, 1915, c. 143, sec. 1 (38 Stat. 1063; 10 U. S. C. 750a).

pp. Act of July 9, 1918, c. 143 (40 Stat. 860; 10 U. S. C. 754)

qq. Act of June 3, 1926, c. 457, sec. 3 (44 Stat. 689) as amended by the act of June 30, 1932, c. 314, sec. 207 (47 Stat. 405) and the act of January 30, 1942, c. 29 (56 Stat. 39; 5 U. S. C. 823)

rr. Act of June 3, 1926, c. 457, sec. 7 (44 Stat. 689) as amended by the act of June 30, 1932, c. 314, sec. 203 (47 Stat. 405; 5 U. S. C. 827)

ss. Act of June 3, 1926, c. 457, sec. 8 (44 Stat. 689; 5 U. S. C. 828)

tt. Act of April 27, 1946, c. 240, sec. 1, 2, 4, 5 (60 Stat. 126, 127; 37 U. S. C. 112d, 112e, 112g, 112h).

uu. Act of March 7, 1942, c. 159 (56 Stat. 140; 10 U. S. C. 919)

vv. Executive Order No. 9255, October 13, 1942 (7 F. R. 8333).

ww. Act of March 3, 1865, c. 81, sec. 5 (13 Stat. 497) as amended by the act of July 28, 1866, c. 293, sec. 25 (14 Stat. 336; R. S. 1299), and the act of August 24, 1912, c. 391, sec. 3 (37 Stat. 591) and the act of June 3, 1916, c. 134, sec. 7, 9a (39 Stat. 169) as added and amended by the act of June 4, 1920, c. 227, subch. I, sec. 7, 9 (41 Stat. 765, 766; 10 U. S. C. 875c)

xx. Executive Order No. 9871, July 8, 1947 (12 F. R. 4531)

yy. Act of June 16, 1942, c. 413, sec. 10 (56 Stat. 363), as amended by the act of June 26, 1943, c. 151 (57 Stat. 219) and the act of September 7, 1944, c. 407, sec. 8 (58 Stat. 730), and the act of October 6, 1945, c. 393, sec. 8 (59 Stat. 541) and the act of August 2, 1946, Title II, Sec. 201 (60 Stat. 858) and the act of June 28, 1947, c. 162, sec. 4 (61 Stat. 192) and the act of July 1, 1947, c. 202 (61 Stat. 242; 37 U. S. C. 110).

zz. Act of April 10, 1943, c. 47 (57 Stat. 62; 37 U. S. C. 118b).

aaa. Act of June 30, 1921, c. 33, sec. 1 (42 Stat. 82) as amended by the act of March 8, 1922, c. 89 (42 Stat. 418; 10 U. S. C. 833)

bbb. Act of July 11, 1919, c. 8 (41 Stat. 110) as amended by the act of June 10, 1921, c. 18, sec. 304 (42 Stat. 24; 10 U. S. C. 863).

ccc. Act of June 3, 1941, c. 165, sec. 5 (55 Stat. 240) as amended by the act of July 8, 1942, c. 493, sec. 7 (56 Stat. 650; 10 U. S. C. 308a).

ddd. Act of June 16, 1936, c. 587, sec. 2 (49 Stat. 1524), as amended by the act of April 3, 1939, c. 35, sec. 11 (53 Stat. 559) and the act of June 3, 1941, c. 165, sec. 6 (55 Stat. 240), and the act of July 25, 1947, c. 323 (61 Stat. 424; 10 U. S. C. 300a).

eee. Act of February 18, 1946, c. 30, Title III, sec. 301 (60 Stat. 20; 37 U. S. C. 118a-1)

fff. Act of May 22, 1928, c. 676 (45 Stat. 698) as amended by the act of June 26, 1934, c. 751 (48 Stat. 1222; 10 U. S. C. 875a).

ggg. Act of July 28, 1866, c. 299, sec. 25 (14 Stat. 336; R. S. 1300) as amended by the act of August 24, 1912, c. 391, sec. 3 (37 Stat. 591) and the act of June 3, 1916, c. 134, sec. 9a, as added by the act of June 4, 1920, c. 227, subch. I, sec. 9 (41 Stat. 766; 10 U. S. C. 875).

hhh. Act of June 16, 1942, c. 413, sec. 9 (56 Stat. 363) as amended by the act of September 7, 1944, c. 407, sec. 3 (58 Stat. 729) and the act of June 29, 1946, c. 523, sec. 1 (a, b) (60 Stat. 343; 37 U. S. C. 109)

iii. Act of August 23, 1912, c. 350, sec. 7 (37 Stat. 414) as amended by the act of April 30, 1940, c. 175 (54 Stat. 175; 31 U. S. C. 679)

jjj. Act of May 10, 1939, c. 119, sec. 4 (53 Stat. 738; 31 U. S. C. 680a)

kkk. Act of March 2, 1899, c. 352, sec. 16 (30 Stat. 981) as amended by the act of March 2, 1901, c. 803 (31 Stat. 896) and the act of June 3, 1916, c. 134, sec. 9a, as added by the act of October 6, 1917, c. 81 (40 Stat. 384) and amended by the act of June 4, 1920, c. 227, subch. I, sec. 9 (41 Stat. 766) and the act of May 16, 1938, c. 219 (52 Stat. 354; 10 U. S. C. 894)

lll. Act of October 17, 1940, c. 888, sec. 300 (4) (54 Stat. 1181, 50 U. S. C., App. 530)

mmm. Act of June 23, 1942, c. 443, Title I, sec. 103, 104, 106, 109, 110 (56 Stat. 381, 382, 384) as amended by the act of October 26, 1943, c. 281, sec. 3, 4, 6, 9, 10 (57 Stat. 577, 578, 580; 37 U. S. C. 203, 204, 206, 209, 210)

nnn. Act of June 23, 1942, c. 443, Title I, sec. 111, 112 (56 Stat. 384; 37 U. S. C. 211, 212)

ooo. Act of June 23, 1942, c. 443, Title I, sec. 108 (56 Stat. 383) as amended by the act of October 26, 1943, c. 281, sec. 8 (57 Stat. 579) and the act of October 6, 1945, c. 393, sec. 9b (59 Stat. 541, 37 U. S. C. 208)

ppp. Act of June 23, 1942, c. 443, Title I, sec. 12, as added by the act of October 26, 1943, c. 281, sec. 14 (57 Stat. 581, 37 U. S. C. 221)

qqq. Act of February 3, 1944, c. 9, sec. 5 (58 Stat. 10) as amended by the act of December 16, 1944, c. 599 (58 Stat. 812; 38 U. S. C. 691e)

rrr. Executive Order No. 9112, March 26, 1942 (7 F. R. 2367)

sss. Act of March 7, 1942, c. 166, sec. 2, 9, 10 (56 Stat. 143-145) as amended by the act of July 1, 1944, c. 371, sec. 2, 5, 6 (58 Stat. 679-681, 50 U. S. C., App., Supp. V 1002, 1009, 1010)

ttt. Act of March 7, 1942, c. 166, sec. 3, 4 (56 Stat. 144) as amended by the act of December 24, 1942, c. 828, sec. 1 (56 Stat. 1092, 1093) and the act of July 1, 1944, c. 371, sec. 3, 4 (58 Stat. 680; 50 U. S. C. App., Supp. V 1003, 1004)

uuu. Act of March 7, 1942, c. 166, sec. 5, 6 (56 Stat. 145) as amended by the act of December 24, 1942, c. 828, sec. 1 (56 Stat. 1093), 50 U. S. C. App., Supp. V, 1005, 1006)

vvv. Act of March 7, 1942, c. 166, sec. 7, (56 Stat. 145; 50 U. S. C. App., Supp. V, 1007)

www. Act of June 5, 1942, c. 331, (56 Stat. 310; 10 U. S. C. 1151)

xxx. Act of October 8, 1940, c. 757, sec. 602 (m) Title VI, part 1, (54 Stat. 1009) as amended by the act of August 1, 1946, c. 728, sec. 6 (60 Stat. 784; 38 U. S. C. 802 (m))

yyy. Act of June 7, 1924, c. 320, sec. 300, (43 Stat. 624) as amended by the act of March 4, 1925, c. 553, sec. 12, (43 Stat. 1308) and the act of July 2, 1926, c. 723, sec. 14, (44 Stat. 798) and the act of May 29, 1928, c. 875, sec. 13, (45 Stat. 967), and the act of July 3, 1930, c. 863, sec. 1, (46 Stat. 1016; 38 U. S. C. 511)

zzz. All other laws, parts of laws, including applicable provisions of Appropriations Acts, and Executive Orders which vested in the Secretary of the Army or the Department of the Army or any officer of that Department, functions, powers and duties relating to finance and fiscal matters and activities insofar as they pertain to the Department of the Air Force or the United States Air Force or their property or personnel.

2. The Department of the Air Force will utilize the services of the Department of the Army for the performance of such finance and fiscal functions as are from time to time jointly determined by the Secretaries of the two Departments to be necessary or desirable.

3. It is expressly determined that the functions herein transferred are necessary and desirable for the operations of the Department of the Air Force and the United States Air Force.

4. The Secretary of the Army, the Secretary of the Air Force, or their representatives are hereby authorized to issue such orders as may be necessary to effectuate the purposes of this order. In this respect, the transfer of such related personnel, property, records, installations, agencies, activities, and projects as the Secretaries of the Army and the Air Force shall from time to time jointly determine to be necessary, is authorized.

5. Nothing contained in this order shall operate as a transfer of funds.

6. This order shall be effective October 14, 1948.

JAMES FORRESTAL,  
Secretary of Defense.

OCTOBER 14, 1948.

[F. R. Doc. 48-9375; Filed, Oct. 25, 1948; 8:45 a. m.]

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[Misc. 34398]

#### ALASKA

#### REVOCATION OF ORDERS OPENING LANDS UNDER THE FOREST HOMESTEAD ACT

OCTOBER 18, 1948.

On request of the Department of Agriculture and pursuant to the authority delegated by the Secretary of the Interior (43 CFR 4.275 (a) (38)) it is ordered as follows:

Subject to valid existing rights, the orders described below, opening public lands in the Tongass National Forest, Alaska, for entry under the act of June 11, 1906, as amended (34 Stat. 233; 16 U. S. C. secs. 506-509) are hereby revoked as to the land hereinafter identified:

Date of order of opening	List number	Land identification
June 1, 1909..	6-39	83.32 acres located on west shore of Karta Bay, an arm of Kasan Bay, Prince of Wales Island, latitude 65°34' N., longitude 132°57' W.
June 10, 1924..	8-69	T. 60 S., R. 82 E., O. R. M., sec. 36, 8 1/2 SW 1/4.
Do.....	8-70	T. 61 S., R. 83 E., sec. 3, lots 1 and 2, containing 160 acres.
Do.....	8-72	T. 60 S., R. 82 E., O. R. M., sec. 23, lots 2, 3, and SW 1/4 SE 1/4, containing 95.36 acres.
Jan. 28, 1925	8-76	5.37 acres located on Whitewater Bay, west shore Admiralty Island (U. S. 8. 208, U. S. 8. 1037, containing 6.20 acres) latitude 67°16'18" N., longitude 134°30' 11" W.
May 11, 1925	8-83	10.78 acres located on the east shore Chatham Strait, west shore of Admiralty Island, latitude 67° 29' N., longitude 134°35' W.
Feb. 9, 1932	8-133	T. 60 S., R. 82 E., O. R. M., sec. 36, SW 1/4 SE 1/4, W 1/4 SE 1/4 SE 1/4, W 1/4 SE 1/4 SE 1/4, T. 61 S., R. 83 E., sec. 2, W 1/4, W 1/4 E 1/4 lot 3, and lot 4, containing 140 acres.
		T. 60 S., R. 83 E., O. R. M., sec. 27, lots 1, 2, 3, 6, and 6, containing 113.42 acres.

ROSCOE E. BELL,  
Acting Director

[F. R. Doc. 48-9374; Filed, Oct. 25, 1948; 8:45 a. m.]

[Misc. 45426]

#### ARIZONA

#### ORDER PROVIDING FOR OPENING OF PUBLIC LANDS RESTORED FROM COLORADO RIVER STORAGE PROJECT

An order of the Bureau of Reclamation dated August 13, 1948, concurred in by the Director, Bureau of Land Management, August 19, 1948, revoked the Departmental order of March 14, 1929, so far as it withdrew in the first form prescribed by section 3 of the Reclamation Act of June 17, 1902 (32 Stat. 388) the following-described land in connection with the Colorado River Storage Project, Arizona, and provided that such revocation shall not affect the withdrawal of any other lands by said order or affect any other orders withdrawing or reserving the lands described:

#### GILA AND SALT RIVER MERIDIAN

T. 10 S., R. 21 W.,  
Sec. 21, S 1/2 SE 1/4,  
Sec. 22, S 1/2,  
Sec. 25, S 1/2 S 1/2,  
Sec. 28, S 1/2 S 1/2,  
Sec. 27, all;  
Sec. 28, all;  
Sec. 29, E 1/2,  
Sec. 33, NW 1/4 NW 1/4,  
Sec. 34, E 1/2,  
Sec. 35, all.  
T. 11 S., R. 21 W.,  
Sec. 1, all;  
Sec. 3, all;  
Sec. 4, SE 1/4,  
Sec. 9, E 1/2,  
Sec. 10, all;  
Sec. 11, all.  
Sec. 12, all..

The above areas aggregate 7,000.60 acres.

These lands are part of the Lower Sonoren Desert and are composed principally of sand dunes.

This order shall not become effective to change the status of such lands until 10:00 a. m. on December 15, 1948. At that time the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from December 15, 1948, to March 16, 1949, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a) as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279-283) subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from November 25, 1948, to December 14, 1948, inclusive, such veterans and persons claiming preference right superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on December 15, 1948, shall be treated as simultaneously filed.

(c) *Date for non-preference-right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on March 17, 1949, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference-right filings.* Applications by the general public may be presented during the 20-day period from February 25, 1949, to March 16, 1949, inclusive, and all such applications, together with those presented at 10:00 a. m. on March 17, 1949, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duty corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Phoenix, Arizona, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254) and Part 296 of that title, to the extent that such

regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the District Land Office at Phoenix, Arizona.

ROSCOE E. BELL,  
Acting Director

[F. R. Doc. 48-9385; Filed, Oct. 25, 1948; 8:47 a. m.]

### Division of Territories and Island Possessions

#### PRESIDENT'S ADVISORY COMMISSION ON RELATION OF FEDERAL LAWS TO PUERTO RICO

##### NOTICE OF OPPORTUNITY TO SUBMIT RECOMMENDATIONS

By Executive Order No. 10005, dated October 5, 1948, 13 F. R. 5854, the President has established an Advisory Commission on the Relation of Federal Laws to Puerto Rico, to assist him in exercising his power, under a recent amendment to Puerto Rico's Organic Act, to exempt Puerto Rico from the application of Federal statutes on the ground that the statutes are inapplicable by reason of local conditions, subject to the qualification noted below. It will be the task of the Commission to review Federal laws in the light of Puerto Rico's economic and social conditions and the nature of Puerto Rico's governmental structure, to determine whether it will recommend to the President that he exempt Puerto Rico from the application of any of these laws. The Commission will hold public hearings before making its recommendations to the President. Ample notice will be given of the time and place of the hearings and the laws to be considered at each, so that interested persons may appear and present their views.

The Commission will welcome any expression of opinion which members of the public may care to submit to it as to the Federal laws which they consider should be declared inapplicable to Puerto Rico and from which they would like to see Puerto Rico exempted by the President. The Commission will also welcome views as to those laws from which it is believed Puerto Rico should not be exempted. In either case, a brief statement of reasons for the position taken should be made. Attention is called to the fact that the amendment to the Organic Act above referred to does not authorize the President to exempt Puerto Rico from any law which has already been made expressly applicable to Puerto Rico by the Congress. The Commission, therefore, cannot recommend to the President that he exempt Puerto Rico from the application of any such law.

Recommendations should be submitted within 30 days from the date of this notice, and should be addressed either to

the Governor of Puerto Rico, at La Fortaleza, San Juan, Puerto Rico, or to Irwin W. Silverman, Counsel, President's Advisory Commission on the Relation of Federal Laws to Puerto Rico, Department of the Interior, Washington 25, D. C.

IRWIN W. SILVERMAN,  
President's Advisory Commission on the Relation of Federal Laws to Puerto Rico.

OCTOBER 18, 1948.

[F. R. Doc. 48-9336; Filed, Oct. 25, 1948; 8:49 a. m.]

### FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 6316, 6917]

SCRIPPS-HOWARD RADIO, INC. AND CLEVELAND BROADCASTING, INC.

#### ORDER CONTINUING ORAL ARGUMENT

In re applications of Scripps-Howard Radio, Inc., Cleveland, Ohio, Docket No. 6316, File No. BP-4118; Cleveland Broadcasting, Incorporated, Cleveland, Ohio, Docket No. 6917, File No. BP-4058; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 5th day of October 1948;

The Commission having under consideration a request by Scripps-Howard Radio, Inc., that it be granted one hour's time within which to present oral argument on its exceptions filed in this proceeding, which oral argument is now scheduled for October 18, 1948; and

It appearing, that the Commission has scheduled oral arguments on exceptions filed in five other proceedings for October 18, 1948; that the request of Scripps-Howard Radio, Inc., should be granted; that affording the applicants in this proceeding one hour each for the presentation of oral argument on October 18, 1948, would not leave sufficient time within which to complete the oral arguments in the other proceedings scheduled on that date; and that oral argument in this proceeding should be continued to another date;

It is therefore ordered, That oral argument on the exceptions filed in this proceeding, now scheduled for October 18, 1948, be, and it is hereby, continued until 10:30 a. m. November 5, 1948, and that the applicants in this proceeding be, and they are hereby, each granted one hour's time within which to present oral argument in this proceeding.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] T. J. SLOWIE,  
Secretary,

[F. R. Doc. 48-9403; Filed, Oct. 25, 1948; 8:51 a. m.]

[Docket No. 9016]

MCCLATCHY BROADCASTING CO.  
(KFBK-FM)

#### ORDER CONTINUING HEARING

In re application of McClatchy Broadcasting Company (KFBK-FM) Sacra-

## NOTICES

mento, California, Docket No. 9016, File No. BPH-471, for construction permit.

The Commission having under consideration a petition filed October 6, 1948, by McClatchy Broadcasting Company (KFBK-FM), Sacramento, California, requesting a continuance in the hearing presently scheduled for October 19, 1948, at Washington, D. C., upon its above-entitled application for FM construction permit;

*It is ordered*, This 15th day of October 1948, that the petition be, and it is hereby, granted; and that the hearing upon the above-entitled application be, and it is hereby, continued to 10:00 a. m., Tuesday, January 4, 1949, at Washington, D. C.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 48-9404; Filed, Oct. 25, 1948;  
8:51 a. m.]

[Docket No. 7339]

BERKS BROADCASTING CO. (WEEU)

ORDER CONTINUING HEARING

In re application of Berks Broadcasting Company (WEEU) Reading, Pennsylvania, Docket No. 7339, File No. BP-4380; for construction permit.

Whereas, the above-entitled application is presently scheduled for further hearing on October 21, 1948, at Washington, D. C.,

It appearing, that the public interest, convenience and necessity would be served by a continuance of the said hearing;

*It is ordered*, This 15th day of October, 1948, that the hearing on the above-entitled application be, and it is hereby, continued to 10:00 a. m., Tuesday, January 4, 1949, at Washington, D. C.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 48-9405; Filed, Oct. 25, 1948;  
8:51 a. m.]

[Docket No. 8105]

RADIO SOUTH, INC.

ORDER CONTINUING HEARING

In re application of Radio South, Inc., Jacksonville, Florida, Docket No. 8105, File No. BP-5007; for construction permit.

The Commission having under consideration a petition filed October 14, 1948, by Radio South, Inc., Jacksonville, Florida, requesting an indefinite continuance in the hearing presently scheduled for October 25, 1948; upon its above-entitled application for construction permit;

*It is ordered*, This 15th day of October, 1948, that the petition be, and it is hereby, granted; and that the hearing upon

the above-entitled application be, and it is hereby, continued indefinitely.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 48-9406; Filed, Oct. 25, 1948;  
8:51 a. m.]

[Docket No. 9125]

STANDARD BROADCAST STATION KBLF

ORDER CONTINUING HEARING

In re application of Robert L. Weeks (Assignor) Dr. Russell G. Frey (Assignee) Docket No. 9125, File No. BAL-706; For assignment of license of standard broadcast station KBLF Red Bluff, California.

Whereas, The above-entitled application is presently scheduled to be heard on November 8, 1948, at Red Bluff, California; and

Whereas, There is pending before the Commission a petition for reconsideration and grant without hearing filed on October 7, 1948;

*It is ordered*, This 15th day of October 1948, that the said hearing on the above-entitled application be, and it is hereby, continued indefinitely.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 48-9407; Filed, Oct. 25, 1948;  
8:52 a. m.]

[Docket No. 8502]

ARI-NE-MEX BROADCASTING CO.

ORDER CONTINUING HEARING

In re application of Ari-Ne-Mex Broadcasting Company, Clayton, New Mexico, Docket No. 8502, File No. BP-5879; for construction permit.

The Commission having under consideration a petition filed October 12, 1948, by Ari-Ne-Mex Broadcasting Company, Clayton, New Mexico, requesting leave to amend its above-entitled application for construction permit so as to show revised articles of incorporation; to show the addition of new stockholders, directors and officers; to show revised financial and programming plans; and to change paragraphs 2, 3, 8, 12-15, 18, 19, 22, 30-33, and 41 of the application to reflect this information; as more particularly appears from the amendment filed simultaneously with the petition; and

It appearing, that on October 12, 1948, petitioner filed a petition for reconsideration and grant of the application, as amended, without hearing; and that accordingly the hearing presently scheduled upon the above-entitled application for November 4, 1948, should be continued indefinitely;

*It is ordered*, This 15th day of October, 1948, that the petition be, and it is hereby, granted; that the amendment filed simultaneously with the petition be,

and it is hereby, accepted; and that, on the Commission's own motion, the hearing on the above-entitled application be, and it is hereby, continued indefinitely.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 48-9408; Filed, Oct. 25, 1948;  
8:52 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1133]

COLORADO-WYOMING GAS CO.

NOTICE OF APPLICATION

OCTOBER 20, 1948.

Notice is hereby given that on September 30, 1948, Colorado-Wyoming Gas Company (Applicant) a Delaware corporation with its principal office at Denver, Colorado, filed an application for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of the following described natural-gas pipeline facilities:

(1) Approximately 3 miles of 2-inch pipeline from a point on Applicant's 8-inch Mesa-Cheyenne transmission pipeline extending easterly to a point near the western city limits of La Salle, Colorado, together with a meter station, for the sale and delivery of natural gas to Greeley Gas Company, for resale in the city of La Salle, Colorado.

(2) Approximately 5½ miles of 2½-inch pipeline from a point on Applicant's Greeley-Loveland lateral pipeline extending northerly to a point near the southern city limits of Windsor, Colorado, together with a meter station, for the sale and delivery of natural gas to Public Service Company of Colorado, for resale in the city of Windsor, Colorado.

(3) Approximately 2 miles of 2½-inch pipeline from a point on Applicant's 8-inch Mesa-Cheyenne main transmission pipeline extending easterly to a point near the western city limits of Ault, Colorado, together with a meter station, for the sale and delivery of natural gas to Greeley Gas Company, for resale in the city of Ault, Colorado.

(4) Approximately 3 miles of 2½-inch pipeline from a point on Applicant's 8-inch Mesa-Cheyenne main transmission pipeline extending easterly to a point near the western city limits of Eaton, Colorado, together with a meter station, for the sale and delivery of natural gas to Greeley Gas Company for resale in the city of Eaton, Colorado.

(5) 600 H. P. Ingersoll-Rand compressor unit to be installed at Applicant's Mesa Compressor Station, located in Adams County, Colorado.

(6) Approximately 28 miles of 10¾-inch pipeline from Applicant's Mesa Compressor Station extending northwesterly to a junction point with the Boulder lateral on Applicant's Arvada-Cheyenne main transmission pipeline.

Additionally, Applicant seeks permission pursuant to section 7 of the Natural Gas Act, as amended, to abandon the following described natural-gas facili-

ties, subject to the jurisdiction of the Commission:

(1) Applicant's Sullivan Compressor Station, in Arapahoe County, Colorado, consisting of 1,200 H. P. compressor units and appurtenant equipment to be moved to Applicant's Mesa Compressor Station.

(2) Approximately 17 miles of 2½-inch and 3-inch pipeline extending eastwardly from a point on Applicant's Arvada-Cheyenne main transmission pipeline to Applicant's Fort Lupton-Brighton lateral pipeline.

Applicant recites that the communities proposed to be served do not have natural-gas service at present. Applicant estimates that for 1950, the peak day sales for the proposed new service will total 740 Mcf and the annual volume will total 123,000 Mcf. Applicant states that its load growth in the area west of Denver does not permit the most economical operation of its Sullivan Compressor Station. Applicant recites that the proposed 28 miles of 10-inch pipeline from Mesa to Boulder will require increased compressor units at Mesa Compressor Station, and that the compressor units at Sullivan can be more economically used at Mesa.

Applicant states that no customers are served from the pipeline proposed to be abandoned. Applicant proposes to serve Brighton and Fort Lupton from its existing 6-inch lateral extending from Applicant's Mesa-Cheyenne main transmission pipeline.

Applicant states that the proposed construction will increase Applicant's system capacity to 50,000 Mcf per day which is less than the contract peak day requirements Colorado Interstate Gas Company is obligated to serve Applicant. Applicant further states that no change in rates is contemplated for any of these projects.

Applicant estimates the total over-all cost of the facilities to be installed will be \$690,100. Applicant proposes no additional financing at this time.

Any interested State commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of § 1.37 of the Commission's rules of practice and procedure and, if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, the creation of a board, or a joint or concurrent hearing, together with reasons for such request.

The application of Colorado-Wyoming Gas Company is on file with the Commission and is open to public inspection. Any person desiring to be heard or to make any protest with reference to the application shall file with the Federal Power Commission, Washington 25, D. C., not later than 15 days from the date of publication of this notice in the FEDERAL REGISTER, a petition to intervene or protest. Such petition or protest shall conform to the requirements of §§ 1.8 and 1.10, whichever is applicable, of the rules of practice and procedure.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 48-9387; Filed, Oct. 25, 1948;  
8:47 a. m.]

[Docket No. G-1143]

TRANS-CONTINENTAL GAS PIPE LINE CORP.

#### NOTICE OF APPLICATION

OCTOBER 22, 1948.

Notice is hereby given that on October 19, 1948, Trans-Continental Gas Pipe Line Corporation (Applicant) a Delaware corporation having its principal office in Dallas, Texas, filed an application for a certificate of public convenience and necessity pursuant to Section 7 of the Natural Gas Act, as amended, authorizing Applicant to acquire, construct and operate certain natural-gas facilities subject to the jurisdiction of the Commission described as follows:

(1) Natural-gas facilities authorized to be constructed which were the subject of proceedings "In the Matter of Trans-Continental Gas Pipe Line Company, Inc." Docket No. G-704, wherein a certificate of public convenience and necessity was issued to Trans-Continental Gas Pipe Line Company, Inc., a Texas corporation, on May 29, 1948, (Opinion No. 165 and accompanying order) for a natural-gas transmission pipeline system originating in Texas, extending through the States of Louisiana, Mississippi, Alabama, Georgia, North and South Carolina, Virginia, Maryland, Pennsylvania, New Jersey, and terminating at a point on the east bank of the Hudson River at 132nd Street, New York City, New York, consisting of 1760 miles of 26-inch pipe, 71 miles of 20-inch pipe, 9 miles of various sizes of pipe for 76 submerged river crossings, 15 compressor stations, laterals, and necessary appurtenant facilities, by means of which natural gas, to be purchased in the Texas-Louisiana Gulf Coast area, would be transported and sold to Consolidated Edison Company of New York, Inc., The Brooklyn Union Gas Company, Public Service Electric and Gas Company, Philadelphia Electric Company, Long Island Lighting System, inclusive of Long Island Lighting Company, Queensborough Gas and Electric Company, and Nassau & Suffolk Lighting Company, King's County Lighting Company, Brooklyn Borough Gas Company, New York & Richmond Gas Company, and Elizabethtown Consolidated Gas Company, for resale in the distribution areas of those Companies; and by means of which a transportation would be made of natural gas from the fields and areas in Texas and Louisiana, controlled and owned by Sun Oil Company to that Company's Marcus Hook Refinery, near Philadelphia, Pennsylvania.

(2) Natural gas facilities as may be authorized by the Commission to be constructed and operated pursuant to a Petition to Amend Order Issuing Certificate of Public Convenience and Necessity, filed on September 23, 1948, by Trans-Continental Gas Pipe Line Company, Inc.

(3) To succeed to all other rights and obligations of the Trans-Continental Gas Pipe Line Company, Inc.

Applicant states it is a corporation organized and existing under the laws of Delaware, (all capital stock owned by Trans-Continental Gas Pipe Line Company, Inc., a Texas corporation) with-

out physical properties, and with assets consisting of \$1,400 representing the subscription price of 2,100 shares of capital stock; that it proposes to engage in the transportation and sale of natural gas in interstate commerce and conduct its operations in all respects, if it is granted the certificate of public convenience and necessity applied for herein, as Trans-Continental Gas Pipe Line Company, Inc., has been heretofore authorized by the Commission's order of May 29, 1948, in the Matter of Trans-Continental Gas Pipe Line Company, Inc., Docket No. G-704, and as the said Company may hereafter be authorized pursuant to its petition filed on September 23, 1948.

Applicant further states (1) directors and officers will be the same as those of Trans-Continental Gas Pipe Line Company, Inc., (2) a transfer and sale has been executed by the two corporations, and under said agreement a stock surrender and cancellation plan will be effected and the ownership of Applicant will initially be identical with that of Trans-Continental Gas Pipe Line Company, Inc., (3) upon effectuation of the transfer and sale Applicant will own all the assets of Trans-Continental Gas Pipe Line Company, Inc., (4) it will be substituted for Trans-Continental Gas Pipe Line Company, Inc., under contracts for delivery of steel plate and fabrication thereof, and under gas purchase and gas sales contracts, (5) assets will be taken over and liabilities assumed at the amounts recorded on the books of Trans-Continental Gas Pipe Line Company, Inc., (6) the directors and stockholders of the two companies have approved the agreement of transfer and sale, (7) there will be no increase in operating expenses, cost of service, and no change in management.

Applicant further proposes in the event of authorization as applied for herein, to finance the construction and operation of facilities so authorized, through (1) the sale of \$143,000,000 of First Mortgage Pipe Line Bonds, (2) the sale of 265,000 shares of Preferred Stock and 265,000 shares of Common Stock of 50 cents par value per share, as units consisting of one share of Preferred Stock and one share of Common Stock, (3) and the sale of 2,250,000 shares of Common Stock to be offered to its Common stockholders.

Any interested State commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of § 1.37 of the Commission's rules of practice and procedure and, if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, the creation of a board, or a joint or concurrent hearing, together with reasons for such request.

The application of Trans-Continental Gas Pipe Line Corporation is on file with the Commission and is open to public inspection. Any person desiring to be heard or to make any protest with reference to the application shall file with the Federal Power Commission, Washington 25, D. C., not later than 10 days from the date of publication of this no-



tice in the FEDERAL REGISTER, a petition to intervene or protest. Such petition or protest shall conform to the requirements of § 1.8 or § 1.10, whichever is applicable, of the rules of practice and procedure (as amended on June 16, 1947)

[SEAL]

LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 48-9435; Filed, Oct. 25, 1948;  
9:01 a. m.]

## FEDERAL TRADE COMMISSION

[File No. 21-410]

### FINE AND WRAPPING PAPER DISTRIBUTING INDUSTRY

#### NOTICE OF HEARING AND OF OPPORTUNITY TO PRESENT VIEWS, SUGGESTIONS, OR OBJECTIONS

At a regular session of the Federal Trade Commission held at its office in the city of Washington, D. C., on the 21st day of October 1948.

Opportunity is hereby extended by the Federal Trade Commission to any and all persons, partnerships, corporations, organizations, or other parties, affected by or having an interest in the proposed trade practice rules for the Fine and Wrapping Paper Distributing Industry, to present to the Commission their views concerning said rules, including such pertinent information, suggestions, or objections as they may desire to submit, and to be heard in the premises. For this purpose they may obtain copies of the proposed rules upon request to the Commission. Such views, information, suggestions, or objections may be submitted by letter, memorandum, brief, or other communication, to be filed with the Commission not later than November 16, 1948. Opportunity to be heard orally will be afforded at the hearing beginning at 10 a. m., November 16, 1948, in Room 332, Federal Trade Commission Building, Pennsylvania Avenue at Sixth Street, NW., Washington, D. C., to any such persons, partnerships, corporations, organizations, or other parties who desire to appear and be heard. After due consideration of all matters presented in writing or orally, the Commission will proceed to final action on the proposed rules.

By the Commission.

[SEAL]

OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 48-9392; Filed, Oct. 25, 1948;  
8:48 a. m.]

## SECURITIES AND EXCHANGE COMMISSION

[File No. 1-155]

### LEHIGH VALLEY COAL CORP.

#### ORDER GRANTING APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 19th day of October A. D. 1948.

The New York Stock Exchange, pursuant to section 12 (d) of the Securities

Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, has made application to strike from listing and registration the Non-Cumulative Preferred Stock, \$50 Par Value, of Lehigh Valley Coal Corporation.

The reasons for striking this security from registration and listing on this exchange that are stated in the application are: (1) Only 5,434 shares of the above security remain outstanding; (2) no transactions in this security have been effected on the applicant exchange since October 1946; (3) the bid price for this security on June 30, 1948 was \$33 per share; (4) the indicated aggregate market value on this date of the 5,434 shares outstanding would be \$179,322; (5) under a plan of reorganization effective March 30, 1946, these shares could be converted into other securities having an indicated market value as of June 30, 1948, of \$205,812.75; and (6) the small amount of stock outstanding and the small indicated aggregate market value of this security present a condition which makes the stock unsuitable for continued listing on applicant exchange.

Appropriate notice and opportunity for hearing have been given to interested persons and the public generally. No request has been received from any interested person for a hearing in this matter. The rules of the New York Stock Exchange with respect to striking a security from registration and listing have been complied with.

The Commission having considered the facts stated in the application, and having due regard for the public interest and the protection of investors;

*It is ordered*, That the application of the New York Stock Exchange to strike the Non-Cumulative Preferred Stock, \$50 Par Value, of Lehigh Valley Coal Corporation from registration and listing be, and the same is, hereby granted, effective at the close of the trading session on November 18, 1948.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 48-9377; Filed, Oct. 25, 1948;  
8:46 a. m.]

[File No. 1-3308]

### LOGANSPOUT DISTILLING CO., INC.

#### ORDER GRANTING APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 19th day of October A. D. 1948.

The New York Curb Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, has made application to strike from listing and registration the Common Stock, \$1.00 Par Value, of Logansport Distilling Company, Inc.

The reasons for striking this security from registration and listing on this exchange that are stated in the application are: (1) Schenley Distillers Corporation on November 14, 1947 offered to

purchase from stockholders of Logansport Distilling Company, Inc. all of their common stock at \$16.50 per share less cost of transfer stamps; (2) on February 3, 1948 as a result of said offer there remained outstanding only 13,743 shares in the hands of 102 public shareholders; (3) the security which is the subject of this application was suspended from trading on the applicant exchange at the close of business on December 31, 1947; (4) the amount of shares remaining outstanding in the hands of the public has become so reduced as to make further dealings in this security on the applicant exchange inadvisable.

Appropriate notice and opportunity for hearing have been given to interested persons and the public generally. No request has been received from any interested person for a hearing in this matter. The rules of the New York Curb Exchange with respect to striking a security from registration and listing have been complied with.

The Commission having considered the facts stated in the application, and having due regard for the public interest and the protection of investors;

*It is ordered*, That the application of the New York Curb Exchange to strike the Common Stock, \$1.00 Par Value, of Logansport Distilling Company, Inc. from registration and listing be, and the same is, hereby granted, effective at the close of the trading session on November 17, 1948.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 48-9378; Filed, Oct. 25, 1948;  
8:46 a. m.]

[File No. 1-3378]

### PHILIP BLUM AND CO., INC.

#### ORDER GRANTING APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 19th day of October A. D. 1948.

The New York Curb Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, has made application to strike from listing and registration the Common Stock, \$1.00 Par Value, of Philip Blum and Company, Inc.

The reasons for striking this security from registration and listing on this exchange that are stated in the application are: (1) Of the 900,000 shares outstanding of this corporation on February 28, 1948, 791,727 shares were owned by one L. A. Weiss, 94,600 shares were owned by a corporation named Salkeld & Co., and 13,673 shares remained outstanding in the hands of 151 public holders; (2) on March 16, 1948, the annual meeting of stockholders of this corporation authorized and directed the voluntary dissolution of the corporation; (3) on March 16, 1948, the Board of Directors of this Company directed and declared the first of a series of distributions to its



shareholders in complete liquidation of the Company consisting of substantially all of the bulk whiskies owned by the Company and represented by warehouse receipts; (4) on April 9, 1948, it was estimated that the assets that would remain for distribution would be approximately \$1.11 per share; (5) the applicant exchange suspended dealings in this security on May 1, 1948; (6) immediate reason for the suspension and striking of registration and listing is the extent to which the liquidation of the Company has progressed; and (7) a contributing reason for suspension and for striking from registration and listing is the limited number of 13,673 shares outstanding in the hands of 151 public stockholders.

Appropriate notice and opportunity for hearing have been given to interested persons and the public generally. No request has been received from any interested person for a hearing in this matter. The rules of the New York Curb Exchange with respect to striking a security from registration and listing have been complied with.

The Commission having considered the facts stated in the application, and having due regard for the public interest and the protection of investors;

*It is ordered*, That the application of the New York Curb Exchange to strike the Common Stock, \$1.00 Par Value, of Philip Blum and Company, Inc. from registration and listing be, and the same is, hereby granted, effective at the close of the trading session on November 16, 1948.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 48-9380; Filed, Oct. 25, 1948;  
8:46 a. m.]

[File No. 1-1468]

PEABODY COAL CO. <sup>2</sup>

#### ORDER GRANTING APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 19th day of October A. D. 1948.

The Chicago Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, has made application to strike from listing and registration the 6% Cumulative Preferred Stock, \$100.00 Par Value, of Peabody Coal Company.

The reasons for striking this security from registration and listing on this exchange that are stated in the application are: (1) By reason of the operation of an offer to exchange the above security for another security under a plan of recapitalization, the number of shares of the above security that remain outstanding in the hands of the public has been reduced to 5,988 shares; (2) this amount is inadequate to justify the continuation of a public market for the security and (3) the applicant exchange suspended this security from trading on April 9, 1948.

Appropriate notice and opportunity for hearing have been given to interested persons and the public generally. No request has been received from any interested person for a hearing in this matter. The rules of the Chicago Stock Exchange with respect to striking a security from registration and listing have been complied with.

The Commission having considered the facts stated in the application, and having due regard for the public interest and the protection of investors;

*It is ordered*, That the application of the Chicago Stock Exchange to strike the 6% Cumulative Preferred Stock, \$100.00 Par Value, of Peabody Coal Company from registration and listing be, and the same is, hereby granted, effective at the close of the trading session on November 16, 1948.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 48-9379; Filed, Oct. 25, 1948;  
8:46 a. m.]

[File Nos. 2-6166 (22-500), 2-6031 (22-463)]

#### TRI-CONTINENTAL CORP. AND GENERAL SHAREHOLDINGS CORP.

##### NOTICE OF APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 20th day of October A. D. 1948.

Notice is hereby given that Tri-Continental Corporation ("applicant") has filed an application under clause (1) of section 310 (b) (1) of the Trust Indenture Act of 1939 for a finding by the Commission that the trusteeship by Guaranty Trust Company of New York under an indenture dated as of March 1, 1946, executed by applicant with Guaranty Trust Company of New York as trustee, and an indenture dated as of December 1, 1945, executed by General Shareholdings Corporation ("General") with Guaranty Trust Company of New York, as trustee, as supplemented by a supplemental indenture dated October 1, 1948, executed by applicant with Guaranty Trust Company of New York, as trustee, is not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify Guaranty Trust Company of New York from acting as trustee under one of said indentures.

Applicant has outstanding \$7,360,000, principal amount of 2½% debentures, due March 1, 1961, which were issued under an indenture dated as of March 1, 1946, executed by applicant with Guaranty Trust Company of New York, as trustee. General had outstanding \$2,650,000, principal amount of 3% debentures, due December 1, 1960, which were issued under an indenture dated as of December 1, 1945, executed by General with the Guaranty Trust Company of New York, as trustee. Both indentures were qualified under the Trust Indenture Act of 1939. On October 1, 1948, Gen-

eral was merged into Tri-Continental pursuant to an agreement of merger dated August 3, 1948. The agreement of merger provided, among other things, that on the effective date of merger applicant would thenceforth be responsible for all debts, liabilities, obligations and duties of General in respect of its 3% debentures due December 1, 1960. Thereupon in accordance with the terms of the indenture executed by General, applicant executed and delivered to Guaranty Trust Company of New York, as trustee under said indenture, a supplemental indenture dated October 1, 1948, pursuant to which applicant assumed the payment of the principal, premium, if any, and interest on all outstanding debentures of General issued under the indenture, and the due and punctual performance of all covenants and conditions of the indenture to be performed by General. The indenture of General as so supplemented has not been qualified under the Trust Indenture Act of 1939.

The application alleges (1) that the indenture of applicant, dated March 1, 1947, and the indenture of General, the obligations of which have been assumed by applicant, contain language similar to that of section 310 (b) (1) of the Trust Indenture Act, including clause (1) of the section; (2) that the indentures are substantially identical except for inherent differences as to the amount of the issue, date, maturity, interest rate and rates, and optional redemption prices; (3) that differences existing between the two indentures are not likely to involve a conflict of interest in the trusteeship of Guaranty Trust Company of New York under both indentures.

For a more detailed statement of the matters of fact and law asserted, all persons are referred to said application which is on file in the offices of the Commission at 425 Second Street, N. W., Washington 25, D. C.

Notice is further given that an order granting the application may be issued by the Commission at any time after October 29, 1948, unless prior thereto a hearing upon the application is ordered by the Commission, as provided in clause (1) of section 310 (b) (1) of the Trust Indenture Act of 1939. Any interested person may, not later than October 27, 1948 at 5:30 p. m., eastern standard time, in writing submit to the Commission his views or any additional facts bearing upon this application or the desirability of a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street, N. W., Washington 25, D. C., and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the application which he desires to controvert.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 48-9382; Filed, Oct. 25, 1948;  
8:47 a. m.]

[File No. 70-1946]

## STANDARD GAS AND ELECTRIC CO.

## SUPPLEMENTAL ORDER RELEASING JURISDICTION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 20th day of October 1948.

Standard Gas and Electric Company ("Standard") a registered holding company and a subsidiary of Standard Power and Light Corporation, also a registered holding company, having filed a declaration and amendments thereto, pursuant to section 12 (d) of the Public Utility Holding Company Act of 1935 ("act") regarding the sale at competitive bidding of 250,000 shares of Common Stock of its subsidiary, Oklahoma Gas and Electric Company\* and

The Commission, by order dated October 8, 1948, having permitted said declaration, as amended, to become effective subject to the condition that the proposed sale of said stock not be consummated until the results of competitive bidding pursuant to Rule U-50 shall have been made a matter of record herein and a further order shall have been entered by the Commission in the light of the record so completed; and

Standard having filed a further amendment setting forth the action taken to comply with the requirements of Rule U-50 and stating that pursuant to its invitation for competitive bids, the following bids were received:

Name of bidder or representatives:	Price per share
The First Boston Corporation and Merrill Lynch, Pierce, Fenner & Beane-----	\$32.63
Otis & Co.-----	32.35
Lehman Brothers and Blyth & Co., Inc.-----	32.13
Smith, Barney & Co. and Harriman Ripley & Co., Inc.-----	31.66

It being further stated in said amendment that Standard has accepted the bid of The First Boston Corporation and Merrill Lynch, Pierce, Fenner & Beane and that the purchasers propose to offer said stock for sale to the public at \$34.25 per share, resulting in an underwriting spread of \$1.62 per share; and

The Commission having considered the record\* as so completed by said amendment and finding that the applicable standards of said act and the rules and regulations promulgated thereunder have been satisfied, and finding no basis for imposing terms and conditions with respect to the price to be paid for said stock or the underwriters' spread and the allocation thereof:

It is ordered, Subject to the terms and conditions prescribed by Rule U-24 that the jurisdiction heretofore reserved with respect to the matters to be determined as a result of competitive bidding pursuant to Rule U-50 be, and it hereby is, released and that said declaration, as further amended, be, and it hereby is, permitted to become effective, forthwith.

By the Commission,

[SEAL]

ORVAL L. DuBOIS,  
Secretary.[F. R. Doc. 48-9384; Filed, Oct. 25, 1948;  
8:47 a. m.]

[File No. 70-1948]

## PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE

## SUPPLEMENTAL ORDER RELEASING JURISDICTION AND GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 19th day of October A. D. 1948.

Public Service Company of New Hampshire ("New Hampshire") a public utility subsidiary of New England Public Service Company, a registered holding company, having filed an application, and amendments thereto, pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 and Rule U-50 promulgated thereunder, regarding the issuance and sale, at competitive bidding, of \$7,000,000 principal amount of First Mortgage Bonds, Series D, ----% due 1978; and

The Commission, by order dated October 11, 1948, having granted said application, as amended, subject to the condition, inter alia, that the proposed sale of the bonds should not be consummated until the results of competitive bidding pursuant to Rule U-50 shall have been made a matter of record herein and a further order shall have been entered by the Commission in the light of the record so completed; and

New Hampshire having, on October 19, 1948, filed a further amendment to its application setting forth the action taken to comply with the requirements of Rule U-50 and stating that, pursuant to the invitation for competitive bids, the following bids were received:

Name of bidder	Interest rate	Price to company <sup>1</sup>	Annual cost to company
Halsey, Stuart & Co., Inc., The First Boston Corp. and Coffin & Burr, Inc.,	Percent 3 3/4	Percent 101.85829	Percent 3.1547
Kidder, Peabody & Co.-----	3 3/4	101.359	3.1778
	3 3/4	100.5526	3.2211

<sup>1</sup>Plus accrued interest to the date of delivery.

The amendment further stating that New Hampshire has accepted the bid of Halsey, Stuart & Co., Inc., for the First Mortgage Bonds, as set forth above, and that said bonds will be offered for sale to the public at a price of 102.375% of the principal amount thereof, plus accrued interest, resulting in an underwriter's spread of 0.53501% of the principal amount of the bonds; and

Said amendment having also set forth the nature and extent of the legal services rendered for which requests for payment have been made in the aggregate amount of \$18,000 classified as follows:

To be paid by New Hampshire:	
Ropes, Gray, Best, Coolidge & Rugg	\$8,500
Sulloway Piper Jones Hollis & Godfrey	1,500
E. H. Maxey et al.	1,500
Palmer, Dodge, Chase & Davis for Trustee	1,500
To be paid by Underwriter:	
Choate, Hall & Stewart	5,000

Applicant having obtained a supplemental order from the New Hampshire Public Service Commission authorizing the issuance of the bonds after competitive bidding; and

The Commission having considered the record herein as so completed by said amendment and finding no basis for imposing terms and conditions with respect to the price to be paid for said bonds, the interest rate thereon and the underwriter's spread; and

It appearing to the Commission that the legal fees incurred in connection with the bond financing are not unreasonable and that jurisdiction with respect thereto should be released;

It is ordered, That the jurisdiction heretofore reserved with respect to the matters to be determined as a result of competitive bidding pursuant to Rule U-50 and with respect to the legal fees be, and the same hereby is, released, and that said application, as further amended, be, and the same hereby is, granted forthwith, subject, however, to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.[F. R. Doc. 48-9381; Filed, Oct. 25, 1948;  
8:46 a. m.]

[File No. 70-1971]

NORTHERN VIRGINIA POWER CO. AND  
POTOMAC EDISON CO.NOTICE OF FILING OF APPLICATION-  
DECLARATION

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C. on the 20th day of October A. D. 1948.

Notice is hereby given that a joint application-declaration has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935 and certain rules and regulations promulgated thereunder, by the Potomac Edison Company ("Potomac"), a registered holding company, and its direct and wholly owned subsidiary, Northern Virginia Power Company ("Northern")

Notice is further given that any interested persons may, not later than November 4, 1948 at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest and the reasons for such request, and the issues, if any, of fact or law proposed to be controverted; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street, N. W., Washington 25, D. C. At any time after November 4, 1948 said joint application-declaration may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said joint application-declaration which is on file in the offices of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

Potomac owns all of the outstanding securities of Northern, consisting of

82,000 shares of common stock and 1,500 shares of 7% preferred stock (par value \$100 a share). All of this capital stock is now pledged under the indenture of Potomac securing its First Mortgage and Collateral Trust Bonds.

From time to time as funds are needed by Northern but prior to December 31, 1949, Northern proposes to issue and sell to Potomac up to 75,000 shares of common stock at the par value of \$100 per share. Northern proposes to issue and sell and Potomac proposes to acquire the first installment of approximately 13,000 shares (\$1,300,000) about November 15, 1948. Upon acquisition by Potomac, these new shares will be pledged under its indenture.

It is represented in the filing that Northern will use the proceeds from the sale of all of the shares of new common stock for needed construction in the form of property improvements and additions. It is further represented in the filing that the proposed transactions, in whole or in part, are subject to the jurisdiction of the State Corporation Commission of Virginia, the Public Service Commission of Maryland, and the Public Service Commission of West Virginia. Applicants-declarants have estimated the expenses involved in the proposed transactions, consisting chiefly of documentary tax stamps, will approximate \$8,650.

The filing designates sections 6, 7, 9, 10, 12 (d) and 12 (f) of the act and Rules U-43 and U-44 promulgated thereunder as being applicable to the proposed transactions, and requests that the final order to issue herein become effective upon the date of issuance.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 48-9383; Filed, Oct. 25, 1948;  
8:47 a. m.]

[File Nos. 59-11, 59-17, 54-25]

UNITED LIGHT AND RAILWAYS CO. ET AL.

#### NOTICE OF FILING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 22d day of October A. D. 1948.

In the matter of the United Light and Railways Company, American Light & Traction Company, et al., File Nos. 59-11, 59-17 and 54-25.

Notice is hereby given that an application has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act") by American Light & Traction Company ("American") a registered holding company subsidiary of the United Light and Railways Company, also a registered holding company, with respect to the proposed issuance and sale of \$15,000,000 principal amount of collateral trust notes and the use of the proceeds in connection with the purchase and retirement of its outstanding preferred stock in accordance with the terms of a Plan heretofore approved by order of the Commission entered December 30, 1947.

Notice is further given that any interested person may, not later than October

29, 1948 at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held with respect to said application, stating in detail the nature of his interest, the reasons for such request and the issues of fact or law raised by said application which he desires to controvert or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street, N. W., Washington 25, D. C.

At any time after November 1, 1948, said application may be granted as provided in Rule U-23 of the rules and regulations promulgated under the act or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said application which is on file in the offices of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

By order dated December 30, 1947, the Commission approved a Plan filed pursuant to section 11 (e) of the act by American Light and the United Light and Railways Company which Plan, among other things, provided for an offer by American Light to purchase at \$33 per share, within a 30-day period from a date to be fixed by American Light, all shares of its outstanding preferred stock tendered pursuant to such offer and for a bank loan by American Light not to exceed \$15,000,000 to obtain the funds with which to purchase such stock. According to the provisions of the Plan, the specific terms and conditions of said bank loan were to be subject to later approval by the Commission upon further application with respect thereto.

American Light has entered into credit agreements with certain banks and insurance companies under which, prior to November 17, 1948, American Light proposes to issue and sell \$15,000,000 aggregate principal amount of serial collateral trust notes to the banks and insurance companies in the amounts shown below:

Name of purchaser	Principal amount of notes to be purchased
Central Hanover Bank & Trust Co.	\$1,500,000.00
Mellon National Bank & Trust Co.	1,500,000.00
The National City Bank of New York	1,500,000.00
New England Mutual Life Insurance Co.	2,500,000.00
Massachusetts Mutual Life Insurance Co.	3,000,000.00
John Hancock Mutual Life Insurance Co.	5,000,000.00
	15,000,000.00

The notes will be in registered form and issued under and entitled to benefits of an indenture between American Light and The National City Bank of New York as Trustee, and are to be dated as of the date they are certified to the Trustee. The notes are to mature in aggregate principal amounts of \$500,000 annually during the first five years, \$1,000,000 annually during the next four years, and \$8,500,000 at the end of the tenth year.

The notes are to bear interest at the following rates per annum: Those maturing in the years 1949-1953, both inclusive, 2½%, those maturing in 1954-1955, 3%, those maturing in 1956, 3½%, those maturing in 1957, 3¾%, those maturing in 1958, 4%. The notes are to be subject to prepayment in whole or in part at any time at the option of the company on 30 days' notice at the principal amounts, plus accrued interest and plus a premium of certain specified amounts. All prepayments are to be applied to the reduction of the principal amount of the notes maturing in 1958 until the aggregate principal amount of such notes outstanding has been reduced to \$1,000,000 after which the company may choose whether to prepay the notes in the inverse order of maturity or to reduce proportionately the principal amount of all notes maturing after the date of such prepayment. Each prepayment is to be applied ratably to all notes of the designated maturity.

If the amount paid by American Light to purchase shares of its outstanding preferred stock pursuant to the proposed offer shall be less than \$15,000,000, the difference between \$15,000,000 and the amount so paid is to be applied to the ratable prepayment of the notes maturing in 1958. In such case the prepayment price is to be the principal amount plus accrued interest from the date of prepayment, plus a premium of ½ of 1% of the amount prepaid.

The notes are to be secured by a collateral pledge of (a) 100% (3,330,569 shares, \$14 par value) of the outstanding common stock of Michigan Consolidated Gas Company\* (b) 100% (220,000 shares, \$100 par value) of the outstanding common stock of Michigan-Wisconsin Pipe Line Company\* and (c) 99.77% (1,110,232½ shares, \$12 par value) of the outstanding common stock of Milwaukee Gas Company. The application states that these securities have been made available for this pledge by consent of the banks who are parties to the existing loan agreement of the United Light and Railways Company dated November 24, 1945.

The indenture contains certain covenants including one with respect to maintenance of net current assets, the payment of dividends or the making of other distributions in respect of the common stock and limiting the company's right to incur indebtedness either directly or as guarantor or surety.

Applicant requests the Commission to enter an order at the earliest practicable date granting the application and requests the recitals and findings required by Supplement R and section 1803 (f) of the Internal Revenue Code showing that the issuance and sale of the proposed notes are necessary or appropriate to effectuate the provisions of section 11(b) of the act.

The company states that no finder's fee or underwriter's compensation will be payable in connection with the issuance of the proposed notes. Other fees and expenses have been estimated by the company at \$32,950, including legal fees of \$20,000, of which \$10,000 is payable to counsel for the company and \$10,000 is payable to counsel for the purchasers of

the notes. All such fees and expenses will be paid by American.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
*Secretary.*

[F. R. Doc. 48-9438; Filed, Oct. 25, 1948;  
8:57 a.m.]

## DEPARTMENT OF JUSTICE

### Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616, E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 12102]

CLARA MADLER MANZ

In re: Estate of Clara Madler Manz, deceased. File D-28-12417; E. T. sec. 16640.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Augusta Manz, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof in and to the Estate of Clara Madler Manz, deceased, is property payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Germany)

3. That such property is in the process of administration by John M. Niven, as administrator, acting under the judicial supervision of the County Court of the State of Wisconsin, in and for the County of Milwaukee;

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 30, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
*Assistant Attorney General,  
Director, Office of Alien Property.*

[F. R. Doc. 48-9409; Filed, Oct. 25, 1948;  
8:52 a.m.]

[Vesting Order 12159]

CARL GAMMERSBACH

In re: Stock owned by and debt owing to Carl Gammersbach. F-28-7575-A-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Carl Gammersbach, whose last known address is Cologne, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: a. Sixty (60) shares of no par value common capital stock of International Nickel Company of Canada, Ltd., Copper Cliff, Ontario, Canada, a corporation organized under the laws of the Dominion of Canada, registered in the name of Schwabacher & Co. and presently in the custody of said Schwabacher & Co., 600 Market Street, San Francisco 4, California, in an account in the name of Carl Gammersbach, together with all declared and unpaid dividends thereon, and

b. That certain debt or other obligation owing to Carl Gammersbach by Schwabacher & Co., 600 Market Street, San Francisco 4, California, in the amount of \$1,800 as of September 1, 1948, together with any and all accruals thereto and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 5, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
*Assistant Attorney General,  
Director, Office of Alien Property.*

[F. R. Doc. 48-9410; Filed, Oct. 25, 1948;  
8:53 a.m.]

[Vesting Order 12164]

W. G. MUELLER

In re: Stock owned by W. G. Mueller. F-28-430-D-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That W. G. Mueller, whose last known address is c/o Sonneberg, Thuringen, Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows: Eighteen (18) shares of no par value common capital stock of G. C. Murphy Company, a corporation organized under the laws of the State of Pennsylvania, evidenced by a certificate numbered 1851, registered in the name of W. G. Mueller, together with all declared and unpaid dividends thereon, and any and all rights of exchange thereof for \$1 par value common capital stock of the aforesaid company,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 5, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
*Assistant Attorney General,  
Director, Office of Alien Property.*

[F. R. Doc. 48-9411; Filed, Oct. 25, 1948;  
8:53 a.m.]

[Vesting Order 12166]

NIPPON CLUB

In re: Debts owing to Nippon Club.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation:

1. It having been found and determined by Vesting Order 175 dated September 28, 1942 as affirmed by § 500.41, as amended, of the Rules of the Office of Alien Property, Department of Justice, that North American Mercantile Company, a California corporation, San Francisco, California, and a business enterprise within the United States, is a national of a designated enemy country (Japan)

2. It having been found and determined by Vesting Order 367 dated November 14, 1942, as amended, as affirmed by § 500.41, as amended, of the Rules of the Office of Alien Property, Department of Justice, that Pacific Trading Co., a California corporation, San Francisco, California, and a business enterprise within the United States, is a national of a designated enemy country (Japan)

3. It is hereby found that the corporations whose names and last known addresses are listed below as follows:

*Name and Last Known Address*

Mitsui & Co., Ltd., Tokyo, Japan.  
Mitsubishi Shoji Kaisha, Ltd., Tokyo, Japan.  
Nippon Yusen Kaisha, Tokyo, Japan.  
The Yokohama Specie Bank, Ltd., Yokohama, Japan.  
The Sumitomo Bank, Ltd., Osaka, Japan.

are corporations organized under the laws of Japan and which have or, since the effective date of Executive Order 8389, as amended, have had their principal places of business in Japan and are nationals of a designated enemy country (Japan)

4. It is hereby found that the Nippon Club, San Francisco, California, an unincorporated association organized under the laws of the State of California, is or, since the effective date of Executive Order 8389, as amended, has been controlled by, directly or indirectly, a designated enemy country (Japan) and the corporations named in subparagraphs 1, 2 and 3 hereof and is a national of a designated enemy country (Japan)

5. It is hereby found that the property described as follows: Those certain debts or other obligations of The Yokohama Specie Bank, Ltd., San Francisco Office, and/or Superintendent of Banks of the State of California and Liquidator of The Yokohama Specie Bank, Ltd., San Francisco Office, c/o State Banking Department, 111 Sutter Street, San Francisco, California, arising out of fixed deposit account number 90982 and a commercial checking account entitled Nippon Club, maintained at the aforesaid San Francisco Office, and any and all rights to demand, enforce and collect the same, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the Nippon Club, the aforesaid national of a designated enemy country (Japan),

and it is hereby determined:

6. That the Nippon Club is controlled by or acting for or on behalf of a designated enemy country (Japan) and persons within such country and is a na-

tional of a designated enemy country (Japan) and

7. That to the extent that North American Mercantile Company, Pacific Trading Co., the Nippon Club and the persons named in subparagraph 3 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national," "designated enemy country" and "business enterprise within the United States" as used herein had and shall have the meanings prescribed in section 10 of Executive Order 9095, as amended by Executive Order 9193.

Executed at Washington, D. C., on October 5, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 48-9412; Filed, Oct. 25, 1948; 8:53 a. m.]

[Vesting Order 12173]

NANNY SCHRODER

In re: Securities owned by Nanny Schroder. F-28-25217-D-1, F-28-25217-D-2.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Nanny Schroder, whose last known address is Meldorf Norderstrasse 8, Holstein, Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows: a. Those certain debts or other obligations, matured or unmatured, evidenced by one (1) Beacon Hotel Corporation, 2130 Broadway, New York 23, New York, 4% Income Bond of \$500.00 face value, bearing the number D614, registered in the name of Nanny Schroder, and any and all rights to demand, enforce and collect said debts or other obligations, together with any and all rights in, to and under said bond,

b. All rights and interests in and under one (1) voting trust certificate for five (5) shares of \$1.00 par value capital stock of Beacon Hotel Corporation, 2130 Broadway, New York 23, New York, a corporation organized under the laws of the State of New York, bearing the number VTC1856, and registered in the name of Nanny Schroder, and

c. All rights and interests in and under one (1) voting trust certificate for ten

(10) shares of \$1.00 par value capital stock of 277 Park Avenue Corporation, 292 Madison Avenue, New York, New York, a corporation organized under the laws of the State of New York, bearing the number VTC 1134, and registered in the name of Nanny Schroder,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 5, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 48-9413; Filed, Oct. 25, 1948; 8:53 a. m.]

[Supplemental Vesting Order 12182]

MORTON McMICHAEL

In re: Trust under will of Morton McMichael, deceased. File No. D-38-1037; E. T. sec. No. 3406.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Nora, Countess Hyacinth Strachwitz, and Friederich Von Stumm, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof in and to the trust under the will of Morton McMichael, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany).

3. That such property is in the process of administration by Fidelity-Philadelphia Trust Company, as trustee, acting under the judicial supervision of the Or-



phans' Court of Philadelphia County, Pennsylvania;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 11, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director Office of Alien Property.

[F. R. Doc. 48-9414; Filed, Oct. 25, 1948;  
8:53 a. m.]

[Vesting Order 12207]

CARL FRIEDERICH BERENDT

In re: Bonds owned by Carl Friederich Berendt. F-28-15517-A-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Carl Friederich Berendt, whose last known address is Hamburg, Germany is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows: a. One (1) Free State of Prussia 6½% Bond, of \$1,000 face value, in bearer form and bearing the number 18049, presently in the custody of C. A. Stern & Co., 40 Exchange Place, New York 5, New York, together with any and all rights thereunder and thereto,

b. One (1) State of Hamburg 6% Bond, of \$1,000 face value, in bearer form and bearing the number M5409, presently in the custody of C. A. Stern & Co., 40 Exchange Place, New York 5, New York, together with any and all rights thereunder and thereto, and

c. One (1) Department of Caldas, Republic of Colombia, 7½% Bond, of \$1,000 face value, in bearer form and bearing the number M2112, presently in the custody of C. A. Stern & Co., 40 Exchange Place, New York 5, New York, together with any and all rights thereunder and thereto,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on ac-

count of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 15, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director Office of Alien Property.

[F. R. Doc. 48-9415; Filed, Oct. 25, 1948;  
8:53 a. m.]

[Vesting Order 12231]

ELSIE POMMER

In re: Interest in real property, property insurance policy, and a claim owned by Elsie Pommer.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Elsie Pommer, whose last known address is Radiumbad Brambach, 177 Bahnhofstrasse, Sachsen, Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows: a. An undivided one-half interest in real property, situated in the Borough of Hawthorne, County of Passaic, State of New Jersey, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. All right, title and interest of Elsie Pommer, in and to Fire Insurance Policy No. 18196, in the face amount of \$3,650.00, issued by Alliance Insurance Company, 1600 Arch Street, Philadelphia, Pennsylvania, which policy insures the real property described in subparagraph 2-a hereof and expires January 28, 1949, and

c. That certain debt or other obligation owing to Elsie Pommer by Paul Pommer 7-25 Fern Street, Fairlawn, New Jersey, arising out of her share of the rentals collected from the real property described in subparagraph 2-a hereof, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and

There is hereby vested in the Attorney General of the United States the property described in subparagraphs 2-b and 2-c hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C. on October 20, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

#### EXHIBIT A

All those certain tracts or parcels of land situate, lying and being in the Borough of Hawthorne, County of Passaic, State of New Jersey, described as follows:

**First Tract.** Beginning at a point in the northerly line of Karl Avenue distant one hundred feet easterly from the easterly line of East Prospect Street and running thence (1) Northerly and at right angles to Karl Avenue, eighty feet; thence (2) Easterly and parallel with Karl Avenue, one hundred feet; thence (3) Southerly and parallel with the first course, eighty feet to the northerly line of Karl Avenue; and thence (4) Westerly and along the same one hundred feet to the place of beginning.

Being further known as lots 31, 32, 33 and 84, Map of Hawthorne Land Company;

**Second Tract.** Being known and designated as lots numbered 35, 36 and 37, as laid out and shown on "Map of Property of Hawthorne Land Co. made by Wise & Watson, Engineers, Passaic, N. J., March 1910."

[F. R. Doc. 48-9417; Filed, Oct. 25, 1948;  
8:55 a. m.]